



R E P O R T

FROM THE

SELECT COMMITTEE

ON THE

HUDSON'S BAY COMPANY;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

APPENDIX AND INDEX.

[COMMUNICATED FROM THE COMMONS TO THE LORDS.]

Ordered to be printed 17th August 1857.





*Jovis, 5<sup>o</sup> die Februarii, 1857.*

*Ordered, THAT a Select Committee be appointed "to consider the State of those British Possessions in North America which are under the administration of the Hudson's Bay Company, or over which they possess a License to Trade."*

*Veneris, 13<sup>o</sup> die Februarii, 1857.*

*Ordered, THAT such Committee do consist of Nineteen Members.*

*Committee nominated accordingly, as follows :—*

Mr. Labouchere.  
Sir John Pakington.  
Lord John Russell.  
Mr. Gladstone.  
Lord Stanley.  
Mr. Roebuck.  
Mr. Edward Ellice.  
Mr. Adderley.  
Mr. Lowe.  
Viscount Sandon.

Mr. Grogan.  
Mr. Kinnaird.  
Mr. Gregson.  
Mr. Blackburn.  
Mr. Charles Fitzwilliam.  
Mr. Gordon.  
Mr. Gurney.  
Mr. Percy Herbert.  
Mr. Bell.

*Ordered, THAT the Committee have power to send for Persons, Papers, and Records.*

*Ordered, THAT Five be the Quorum of the Committee.*

*Lunæ, 9<sup>o</sup> die Martii, 1857.*

*Ordered, THAT the Committee have power to Report the Minutes of Evidence taken before them to the House.*

**SECOND SESSION, 1857.**

*Veneris, 8<sup>o</sup> die Maii, 1857.*

*Ordered, THAT a Select Committee be appointed "to consider the State of those British Possessions in North America which are under the administration of the Hudson's Bay Company, or over which they possess a License to Trade."*

*Martis, 12<sup>o</sup> die Maii, 1857.*

*Ordered, THAT the Committee do consist of Nineteen Members.*

*Committee nominated accordingly :—*

Mr. Secretary Labouchere.  
Lord John Russell.  
Lord Stanley.  
Mr. Edward Ellice.  
Viscount Sandon.  
Mr. Kinnaird.  
Mr. Blackburn.  
Mr. Alexander Matheson.  
Mr. Percy Herbert.

Sir John Pakington.  
Mr. Gladstone.  
Mr. Roebuck.  
Mr. Lowe.  
Mr. Grogan.  
Mr. Gregson.  
Mr. Charles Fitzwilliam.  
Mr. Gurney.  
Viscount Goderich.

*Ordered, THAT the Committee have power to send for Persons, Papers, and Records.*

*Ordered, THAT Five be the Quorum of the Committee.*

*Mercurii, 13<sup>o</sup> die Maii, 1857.*

*Ordered, THAT Mr. Christy be added to the Committee.*

*Veneris, 31<sup>o</sup> die Julii, 1857.*

*Ordered, THAT the Committee have power to Report their Observations, together with the Minutes of Evidence taken before them, to the House.*

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## R E P O R T.

THE SELECT COMMITTEE appointed to consider the State of those BRITISH POSSESSIONS in *North America* which are under the Administration of the HUDSON'S BAY COMPANY, or over which they possess a License to Trade, and who were empowered to Report their Observations, together with the MINUTES of EVIDENCE taken before them, to The House :—Have considered the Matters to them referred, and have agreed to the following REPORT:

1. THE near approach of the period when the license of exclusive trade, granted in 1838 for 21 years, to the Hudson's Bay Company over that north-western portion of British America which goes by the name of the Indian Territory, must expire, would alone make it necessary that the condition of the whole of the vast regions which are under the administration of the Company should be carefully considered; but there are other circumstances which, in the opinion of Your Committee, would have rendered such a course the duty of the Parliament and Government of this country.

2. Among these, Your Committee would specially enumerate,—the growing desire of our Canadian fellow-subjects that the means of extension and regular settlement should be afforded to them over a portion of this territory; the necessity of providing suitably for the administration of the affairs of Vancouver's Island, and the present condition of the settlement which has been formed on the Red River.

3. Your Committee have received much valuable evidence on these and other subjects connected with the inquiry which has been entrusted to them, and especially have had the advantage of hearing the statements of Chief Justice Draper, who was commissioned by the Government of Canada to watch this inquiry. In addition to this, Your Committee have received the evidence taken before a Committee of the Legislative Assembly, appointed to investigate this subject, containing much valuable information in reference to the interests and feelings of that important Colony, which are entitled to the greatest weight on this occasion.

4. Your Committee have also had the opinion of the law officers of the Crown communicated to them on various points connected with the charter of the Hudson's Bay Company.

5. The territory over which the Company now exercise rights is of three descriptions :—

- 1st. The land held by charter, or Rupert's Land.
- 2d. The land held by license, or the Indian Territory.
- 3d. Vancouver's Island.

6. For the nature of the tenure by which these countries are severally connected with the Company, Your Committee would refer to the evidence they have received and the documents appended to their Report.

7. Among the various objects of imperial policy which it is important to attain, Your Committee consider that it is essential to meet the just and reasonable wishes of Canada to be enabled to annex to her territory such portion of the land in her neighbourhood as may be available to her for the

purposes of settlement, with which lands she is willing to open and maintain communications, and for which she will provide the means of local administration. Your Committee apprehend that the districts on the Red River and the Saskatchewan are among those likely to be desired for early occupation. It is of great importance that the peace and good order of those districts should be effectually secured. Your Committee trust that there will be no difficulty in effecting arrangements as between Her Majesty's Government and the Hudson's Bay Company by which these districts may be ceded to Canada on equitable principles, and within the districts thus annexed to her the authority of the Hudson's Bay Company would of course entirely cease.

8. Your Committee think it best to content themselves with indicating the outlines of such a scheme, leaving it to Her Majesty's Government to consider its details more maturely before the Act of Parliament is prepared, which will probably be necessary to carry it into effect.

9. In case, however, Canada should not be willing, at a very early period to undertake the government of the Red River District, it may be proper to consider whether some temporary provision for its administration may not be advisable.

10. Your Committee are of opinion that it will be proper to terminate the connexion of the Hudson's Bay Company with Vancouver's Island as soon as it can conveniently be done, as the best means of favouring the development of the great natural advantages of that important colony. Means should also be provided for the ultimate extension of the colony over any portion of the adjoining continent, to the west of the Rocky Mountains, on which permanent settlement may be found practicable.

11. As to those extensive regions, whether in Rupert's Land or in the Indian Territory, in which, for the present at least, there can be no prospect of permanent settlement, to any extent, by the European race for the purposes of colonisation, the opinion at which Your Committee have arrived is mainly founded on the following considerations: 1°. The great importance to the more peopled portions of British North America that law and order should, as far as possible, be maintained in these territories; 2°. The fatal effects which they believe would infallibly result to the Indian population from a system of open competition in the fur trade, and the consequent introduction of spirits in a far greater degree than is the case at present; and 3°. The probability of the indiscriminate destruction of the more valuable fur-bearing animals in the course of a few years.

12. For these reasons Your Committee are of opinion that whatever may be the validity or otherwise of the rights claimed by the Hudson's Bay Company, under the Charter, it is desirable that they should continue to enjoy the privilege of exclusive trade, which they now possess, except so far as those privileges are limited by the foregoing recommendations.

13. Your Committee have now specified the principal objects which they think it would be desirable to attain. How far the chartered rights claimed by the Hudson's Bay Company may prove an obstacle to their attainment, they are not able, with any certainty, to say. If this difficulty is to be solved by amicable adjustment, such a course will be best promoted by the Government, after communication with the Company, as well as with the Government of Canada, rather than by detailed suggestions emanating from this Committee.

14. Your Committee cannot doubt but that, when such grave interests are at stake, all the parties concerned will approach the subject in a spirit of conciliation and justice, and they therefore indulge a confident hope that the Government will be enabled, in the next Session of Parliament, to present a Bill which shall lay the foundation of an equitable and satisfactory arrangement, in the event, which we consider probable, of legislation being found necessary for that purpose.

PROCEEDINGS OF THE COMMITTEE.

*Mercurii, 18<sup>o</sup> die Februarii, 1857.*

MEMBERS PRESENT:

Mr. Labouchere.  
Mr. Kinnaird.  
Mr. Gurney.  
Mr. E. Ellice.  
Sir John Pakington.  
Mr. Gregson.  
Lord Stanley.  
Mr. Roebuck.

Mr. Gordon.  
Viscount Sandon.  
Mr. Blackburn.  
Mr. Lowe.  
Mr. Bell.  
Lord John Russell.  
Mr. Gladstone.

Mr. Labouchere was called to the Chair.

The Committee deliberated on the course of proceeding.

[Adjourned.]

*Veneris, 20<sup>o</sup> die Februarii, 1857.*

MEMBERS PRESENT:

Mr. LABOUCHERE in the Chair.

Mr. Kinnaird.  
Lord Sandon.  
Sir John Pakington.  
Lord Stanley.  
Mr. Grogan.  
Mr. Gurney.  
Mr. Gordon.  
Mr. Percy Herbert.  
Mr. E. Ellice.

Mr. C. Fitzwilliam.  
Mr. Roebuck.  
Lord John Russell.  
Mr. Adderley.  
Mr. Lowe.  
Mr. Gladstone.  
Mr. Bell.  
Mr. Blackburn.

The Committee examined the Honourable John Ross, of Canada.

[Adjourned to Monday, at Twelve.]

*Lunæ, 23<sup>o</sup> die Februarii, 1857.*

MEMBERS PRESENT:

Mr. LABOUCHERE in the Chair.

Colonel Herbert.  
Mr. Bell.  
Mr. Grogan.  
Sir John Pakington.  
Lord Stanley.  
Lord John Russell.  
Mr. E. Ellice.  
Mr. Gregson.

Viscount Sandon.  
Mr. Gurney.  
Mr. Lowe.  
Mr. Adderley.  
Mr. Gordon.  
Mr. Fitzwilliam.  
Mr. Kinnaird.

The Committee examined Colonel Lefroy, Dr. Rae.

[Adjourned to Thursday, at Twelve.]

## PROCEEDINGS OF THE SELECT COMMITTEE

*Jovis, 26<sup>o</sup> die Februarii, 1857.*

## MEMBERS PRESENT:

Mr. LABOUCHERE in the Chair.

Mr. Gurney.  
Mr. Kinnaird.  
Mr. Adderley.  
Mr. Bell.  
Mr. Grogan.  
Colonel Herbert.  
Mr. E. Ellice.  
Mr. Gurney.

Mr. Gregson.  
Mr. Gordon.  
Viscount Sandon.  
Mr. Fitzwilliam.  
Mr. Lowe.  
Mr. Gladstone.  
Mr. Blackburn.  
Mr. Roebuck.

The Committee examined Sir *George Simpson*.

[Adjourned to Monday, at Twelve.

*Luñce, 2<sup>o</sup> die Martii, 1857.*

## MEMBERS PRESENT:

Mr. LABOUCHERE in the Chair.

Mr. Bell.  
Mr. Grogan.  
Mr. Roebuck.  
Mr. Gurney.  
Mr. Gordon.  
Colonel Herbert.  
Mr. Gregson.  
Mr. E. Ellice.  
Sir John Pakington.

Mr. Kinnaird.  
Lord Stanley.  
Lord John Russell.  
Mr. Adderley.  
Mr. Blackburn.  
Mr. Lowe.  
Lord Sandon.  
Mr. Fitzwilliam.  
Mr. Gladstone.

The Committee continued the examination of Sir *George Simpson*, and examined Mr. *Kernaghan*.

[Adjourned to Thursday, at Twelve.

*Jovis, 5<sup>o</sup> die Martii, 1857.*

## MEMBERS PRESENT:

Mr. LABOUCHERE in the Chair.

Mr. E. Ellice.  
Mr. Gregson.  
Colonel Herbert.  
Mr. Gordon.  
Lord Sandon.  
Sir John Pakington.  
Mr. Kinnaird.  
Mr. Grogan.

Mr. Bell.  
Mr. Adderley.  
Mr. Fitzwilliam.  
Mr. Lowe.  
Lord John Russell.  
Lord Stanley.  
Mr. Roebuck.

The Committee examined Mr. *Kernaghan*; Mr. *Fitzwilliam*, a Member of the Committee; Mr. *Isbister*, and the Rev. G. V. *Corbet*.

[Adjourned to Monday, at Twelve.]

*Lunæ, 9<sup>o</sup> die Martii, 1857.*

## MEMBERS PRESENT:

Mr. LABOUCHERE in the Chair.

Mr. Bell.  
Mr. Grogan.  
Mr. Fitzwilliam.  
Mr. Kinnaird.  
Mr. Ellice.

Colonel Percy Herbert.  
Mr. Blackburn.  
Mr. Gordon.  
Lord Sandon.  
Lord John Russell.

The Committee deliberated on their course of proceeding, and,

*Resolved*, "That the Chairman do report to The House the Evidence taken up to this day inclusive."

The Committee examined the Rev. G. V. Corbet and Sir John Richardson.

To report.

## SECOND SESSION, 1857.

*Veneris, 15<sup>o</sup> die Maii, 1857.*

## MEMBERS PRESENT:

Mr. Labouchere.  
Mr. E. Ellice.  
Mr. Kinnaird.  
Mr. Gregson.  
Mr. Lowe.  
Mr. Gladstone.  
Lord Goderich.

Mr. Grogan.  
Mr. Matheson.  
Mr. Christy.  
Sir John Pakington.  
Lord Stanley.  
Mr. Gurney.

Mr. Labouchere was called to the chair.

[Adjourned to Tuesday, at Twelve.

*Martis, 19<sup>o</sup> die Maii, 1857.*

## MEMBERS PRESENT:

Mr. Lowe in the Chair.

Lord Stanley.  
Mr. Roebuck.  
Mr. Gurney.  
Mr. Matheson.  
Mr. Gregson.  
Mr. Ellice.

Mr. Fitzwilliam.  
Lord Sandon.  
Mr. Christy.  
Sir John Pakington.  
Lord John Russell.  
Mr. Blackburn.

The Committee examined Colonel Crofton and Sir George Back.

[Adjourned to Thursday, at Two.

*Jovis, 21<sup>o</sup> die Maii, 1857.*

## MEMBERS PRESENT:

Mr. LABOUCHERE in the Chair.

Mr. Grogan.  
Mr. Lowe.  
Lord Sandon.  
Mr. Blackburn.  
Mr. Gurney.  
Mr. Christy.  
Colonel Herbert.  
Mr. Ellice.

Lord Stanley.  
Mr. Roebuck.  
Lord Goderich.  
Mr. Kinnaird.  
Mr. Fitzwilliam.  
Mr. Matheson.  
Mr. Gregson.

The Committee examined Mr. *Cooper*.

[Adjourned to Thursday, 28th May, at Twelve.

*Jovis, 28<sup>o</sup> die Maii, 1857.*

## MEMBERS PRESENT:

Mr. LABOUCHERE in the Chair.

Mr. Grogan.  
Sir John Pakington.  
Mr. Lowe.  
Lord John Russell.  
Mr. Gladstone.  
Mr. Kinnaird.  
Mr. Ellice.

Mr. Gregson.  
Mr. Christy.  
Mr. Blackburn.  
Mr. Fitzwilliam.  
Colonel Herbert.  
Mr. Matheson.

The Committee examined Mr. Chief Justice *Draper*.

[Adjourned to Thursday, 4th June, at One.

*Jovis, 4<sup>o</sup> die Junii, 1857.*

## MEMBERS PRESENT:

Mr. LABOUCHERE in the Chair.

Mr. Grogan.  
Mr. Fitzwilliam.  
Mr. Kinnaird.  
Mr. Matheson.  
Mr. Blackburn.  
Viscount Goderich.  
Mr. Christy.

Mr. Gregson.  
Mr. Ellice.  
Lord John Russell.  
Mr. Roebuck.  
Sir John Pakington.  
Mr. Lowe.  
Lord Stanley.

The Committee examined Mr. Chief Justice *Draper*, The Bishop of *Rupert's Land*, and Mr. *Maynard*.

[Adjourned to Tuesday next, at Twelve.

ON THE HUDSON'S BAY COMPANY.

*Martis, 9<sup>o</sup> die Junii, 1857.*

MEMBERS PRESENT:

Mr. LABOUCHERE in the Chair.

Mr. Blackburn.  
Mr. Grogan.  
Mr. Fitzwilliam.  
Lord Stanley.  
Lord Sandon.

Mr. Christy.  
Mr. Matheson.  
Mr. Ellice.  
Mr. Kinnaird.

The Committee examined Mr. *Roche*, Captain *Herd*, and Mr. *Miles*.

[Adjourned to Thursday, at Twelve.

*Jovis, 11<sup>o</sup> die Junii, 1857.*

MEMBERS PRESENT:

Mr. LABOUCHERE in the Chair.

Mr. Roebuck.  
Colonel Herbert.  
Mr. Grogan.  
Mr. Fitzwilliam.  
Mr. Matheson.  
Mr. Kinnaird.  
Mr. Lowe.

Mr. Blackburn.  
Lord Sandon.  
Lord Goderich.  
Mr. Christy.  
Mr. Gregson.  
Mr. Ellice.

The Committee examined Mr. *M'Laughlin*.

[Adjourned to Monday, at Twelve.

*Lunæ, 15<sup>o</sup> die Junii, 1857.*

MEMBERS PRESENT:

Mr. LABOUCHERE in the Chair.

Mr. Kinnaird.  
Mr. Grogan.  
Mr. Matheson.  
Sir John Pakington.  
Mr. Blackburn.  
Mr. Roebuck.

Lord Goderich.  
Mr. Fitzwilliam.  
Mr. Christy.  
Mr. Gregson.  
Mr. Ellice.  
Lord Sandon.

The Committee examined Mr. *Blanshard*, Colonel *Coldwell*, and Dr. *King*.

[Adjourned to Tuesday, the 23d instant, at Twelve.



PROCEEDINGS OF THE SELECT COMMITTEE

*Martis, 23<sup>o</sup> die Junii, 1857.*

MEMBERS PRESENT:

Mr. LABOUCHERE in the Chair.

Lord John Russell.  
Sir John Pakington.  
Mr. Kinnaid.  
Mr. Roebuck.  
Mr. Blackburn.  
Lord Sandon.  
Mr. Gurney.

Mr. Christy.  
Mr. Lowe.  
Mr. Ellice.  
Mr. Fitzwilliam.  
Mr. Grogan.  
Mr. Matheson.  
Mr. Gregson.

The Committee examined Mr. Tennant, Right Hon. E. Ellice, a Member of the House, and Mr. Isbister.

[Adjourned to Monday, 20th of July, at Twelve.

*Lunæ, 20<sup>o</sup> die Julii, 1857.*

MEMBERS PRESENT:

Mr. LABOUCHERE in the Chair.

Lord Goderich.  
Mr. Gregson.  
Lord Sandon.  
Colonel Percy Herbert.  
Mr. Fitzwilliam.  
Lord Stanley.  
Mr. Kinnaid.  
Mr. Lowe.

Lord John Russell.  
Mr. Roebuck.  
Mr. Gurney.  
Mr. Christy.  
Mr. Matheson.  
Mr. E. Ellice.  
Mr. Grogan.  
Mr. Gladstone.

The Committee deliberated.

A Draft of Report was laid upon the table by the Chairman.

Draft Resolutions were also laid upon the table by Mr. Gladstone.

Ordered, That the same be printed.

[Adjourned to Friday, at One.

*Veneris, 24<sup>o</sup> die Julii, 1857.*

MEMBERS PRESENT:

Mr. LABOUCHERE in the Chair.

Mr. Matheson.  
Mr. Gregson.  
Lord Sandon.  
Mr. Christy.  
Mr. Gurney.  
Mr. Roebuck.  
Lord John Russell.

Sir John Pakington.  
Mr. Lowe.  
Mr. Fitzwilliam.  
Mr. Gladstone.  
Lord Goderich.  
Mr. Kinnaid.  
Colonel Percy Herbert.

The Committee deliberated.

Draft Report proposed by the Chairman read 1<sup>o</sup>, as follows:—

“The near approach of the period when the license of exclusive trade, granted in 1838 for 21 years, to the Hudson's Bay Company over that north-western portion of British America which goes by the name of the Indian territory, must expire, would alone make it necessary

necessary that the condition of the whole of the vast regions which are under the administration of the Company should be carefully considered; but there are other circumstances which, in the opinion of Your Committee, would have rendered such a course the duty of the Parliament and Government of this country.

"Among these, Your Committee would specially enumerate,—the growing desire of our Canadian fellow-subjects that the means of extension and regular settlement should be afforded to them over a portion of this territory; the necessity of providing suitably for the administration of the affairs of Vancouver's Island, and the present condition of the settlement which has been formed on the Red River.

"Your Committee have received much valuable evidence on these and other subjects connected with the inquiry which has been entrusted to them, and especially have had the advantage of hearing the statements of Chief Justice Draper, who was commissioned by the Province of Canada to attend the Committee on behalf of that important colony, whose interests and feelings are entitled to the greatest weight on this occasion.

"Your Committee have also had the opinion of the law officers of the Crown communicated to them on various points connected with the charter of the Hudson's Bay Company.

"The territory over which the Company now exercise rights is of three descriptions:—

- 1st. The land held by charter, or Rupert's Land.
- 2d. The land held by license, or the Indian Territory.
- 3d. Vancouver's Island.

"For the nature of the tenure by which these countries are severally connected with the Company, Your Committee would refer to the evidence they have received and the documents appended to their Report.

"With regard to Rupert's Land, which is held by charter, it might be very desirable to ascertain precisely what is the force of the powers claimed and exercised under it, and of the extent of the country over which those powers exist. But from the experience of a long series of years, during which there has been, from time to time, much controversy on these questions, as well as from the tenor of the opinions which they have received from the law officers of the Crown, Your Committee are apprehensive that there may be great difficulty and delay in arriving, by the ordinary forms of law, at any certain conclusions upon them.

"On the other hand, prompt measures are very desirable; and Your Committee hope that it may be found practicable to effect such arrangements as are required for the satisfaction and benefit of those concerned, without waiting for the result of proceedings of so doubtful and dilatory a character as may appertain to the complete investigation of this ancient charter.

"The law officers, however, suggest a course by which, with the united consent of Canada and the Company, the question of the actual boundary, which appears at present to be in a state of uncertainty in some respects, may be determined through the instrumentality of the Judicial Committee of the Privy Council; and Your Committee have been assured by the Hudson's Bay Company, in a letter which is appended to this Report, that they are willing to accede to this proposal. In the event of this course being adopted, it is impossible for Your Committee now to form an opinion how far the award given by the Judicial Committee may modify the recommendations which it will subsequently be the duty of Your Committee to make, by circumscribing the extent of country to which these recommendations may apply.

"Your Committee entertain the strongest conviction that the Crown and people of this country can have no other interest in the territory now administered by the Company, except that it should be dealt with in whatever manner is most conducive to the prosperity and contentment of our North American fellow-subjects; and especially in the mode which is best calculated to add to the strength of the great colony of Canada. It is on these principles alone that the recommendations of Your Committee will be founded, so far as is consistent with equity and good faith.

"In the first place, therefore, Your Committee consider that it is essential to meet fully the just and reasonable wishes of Canada to be enabled to annex to her territory any portion of the land in her neighbourhood which can be made available to her for the purposes of settlement, with which she is willing to open and maintain communications, and for which she will provide the means of local administration. Your Committee apprehend that the districts on the Red River and the Saskatchewan are the most likely to be desired by Canada for early occupation. It is also of great importance that the peace and good order of those districts should be effectually secured. We believe that some simple machinery could be devised, by the aid of which these districts could be ceded to Canada, and a convenient boundary line laid down, upon substantial proof being given of her willingness and ability to administer them.

"In like manner the boundary of the colony in other directions might be thrown back, wherever by so doing any purpose useful to Canada could be obtained; within the districts thus annexed to her the authority of the Hudson's Bay Company would of course entirely cease.

"Your Committee think it best to content themselves with indicating the outlines of such a scheme, leaving it to the Government to consider its details more maturely before the Act of Parliament is prepared, which will probably be necessary to carry it into effect.

"In case, however, Canada should not be willing at a very early period to undertake the government of the Red River District, it may be proper to consider whether some temporary provision for its administration may not be advisable.

"Your Committee are of opinion that it will be proper to terminate the connexion of the Company with Vancouver's Island as soon as it can conveniently be done, as the best means of favouring the development of the great natural advantages of that important island. Means should also be provided for the extension of the colony over every portion of the adjoining continent on which permanent settlement may be found practicable to the west of the Rocky Mountains.

"As to those extensive regions, whether in Rupert's Land or in the Indian Territory, in which, for the present at least, there can be no prospect of permanent settlement by the European race for any purpose except that of the fur trade, the opinion at which Your Committee have arrived is mainly founded on the following considerations: 1°. The great importance to the more peopled portions of British North America that law and order should, as far as possible, be maintained there; 2°. The fatal effects which they believe would infallibly result to the Indian population if a system of open competition in the fur trade, and the consequent introduction of spirits in a far greater degree than is the case at present; and 3°. The probability of the indiscriminate destruction of the fur-bearing animals in the course of a few years.

"For these reasons, Your Committee would recommend that the privilege of exclusive trade should be continued to the Hudson's Bay Company for a term of years, without, however, thereby giving to the chartered rights thus claimed by the Company any further sanction or validity than what they may already possess. Your Committee consider that it would be of the utmost consequence that the best understanding should be cultivated between the local Government of Canada and the Company, which, indeed, there seems no reason to doubt has generally existed between them up to a very recent period.

"Your Committee have now specified the principal objects which they think it would be desirable to attain. How far the chartered rights claimed by the Hudson's Bay Company may prove an obstacle to their attainment, they are not able, with any certainty, to say. If this difficulty is to be solved by amicable adjustment, such a course will be best promoted by the Government, after communication with the Company, as well as with the Government of Canada, rather than by detailed suggestions emanating from this Committee.

"Your Committee cannot doubt but that, when such grave interests are at stake, all the parties concerned will approach the subject in a spirit of conciliation and justice, and they therefore indulge a confident hope that the Government will be enabled, in the next Session of Parliament, to present a Bill which shall lay the foundation of an equitable and satisfactory arrangement, in the event, which we consider probable, of legislation being found necessary for that purpose."

Draft Report, proposed by Mr. *Christy*, read 1°, as follows:—

"1. THE near approach of the period when the license of exclusive trade, granted in 1838 for 21 years to the Hudson's Bay Company, over that North-Western portion of British America which goes by the name of the Indian Territory, must expire, would alone make it necessary that the condition of the whole of the vast regions which are under the administration of the Company should be carefully considered; but there are other circumstances which, in the opinion of Your Committee, would have rendered such a course the duty of the Parliament and Government of this country.

"2. Among these, Your Committee would especially enumerate the growing desire of our Canadian fellow-subjects, that the means of extension and regular settlement should be afforded to them over a portion of this territory; the necessity of providing suitably for the administration of the affairs of Vancouver's Island, and the present condition of the settlement which has been formed on the Red River.

"3. Your Committee have obtained much valuable evidence on these and other subjects connected with the inquiry which has been intrusted to them; and have had the advantage of hearing the statements of Chief Justice Draper, who was commissioned by the Government of Canada to watch this inquiry. In addition to this, Your Committee have received the evidence taken before a Committee of the Legislative Assembly appointed to investigate this subject, containing much valuable information in reference to the interests and feelings of that important colony, which are entitled to the greatest weight on this occasion.

"4. Your Committee have also had the opinion of the law officers of the Crown communicated to them on various points connected with the charter of the Hudson's Bay Company.

"5. The territory over which the Company now exercise rights is of three descriptions,—

- 1st. The land held by charter, or Rupert's Land.
- 2d. The land held by license; or the Indian Territory.
- 3d. Vancouver's Island.

"6. For the nature of the tenure by which these countries are severally connected with the Company, Your Committee would refer to the evidence they have received, and the documents appended to their Report.

"7. With regard to Rupert's Land, which is held by charter, it appears to Your Committee very desirable to ascertain precisely the character and legality of the powers claimed and exercised under it, and the extent of the country over which these powers are in force.

"8. Numerous allegations and much controversy on these questions have created a serious evil, arising from the impression, both in Canada and in the countries subject to the jurisdiction of the charter itself, that many of its provisions, if not altogether contrary to the laws of England, are of doubtful authority.

"9. The prevalence of such impressions, whether well founded or otherwise, cannot but be prejudicial not only to the authority of the Company, but to the peaceable and orderly government of those living under them; and it appears to Your Committee necessary for the satisfaction and benefit of those concerned, that the question of the validity of powers so anomalous and extensive, should be set at rest by the instrumentality of a competent legal tribunal.

"10. It has, however, been strongly urged upon Your Committee, in the course of their inquiry, that the question of the boundaries between Canada and the Hudson's Bay territories is of the most pressing importance at this moment, and one that should be determined as speedily as possible; but it is obvious that in bringing this to a practical decision, the question of the validity of the charter presents itself as the first to be ascertained. The definition of the limits of Canada must necessarily follow on the determination of what is, or is not, within the jurisdiction of the Hudson's Bay Company.

"11. Pending such an investigation, which Your Committee consider to be the first and indispensable step to any final arrangement, they forbear to express any opinion as to the course which should be ultimately pursued; but, adverting to the willingness expressed by the Company to meet the desire of the Canadian people to obtain land fit for cultivation, and the establishment of agricultural settlers, Your Committee think it right to express their opinion that, in any event, the country capable of settlement should be withdrawn from the jurisdiction of the Hudson's Bay Company, whose objects and interests are admitted to be opposed to colonisation.

"12. Your Committee believe that the districts on the Red River, Saskatchewan, and the Mackenzie, hold out inducements to enterprising individuals, from Canada and from this country, for their early occupation, which ought, by every legitimate means, to be encouraged. The rapid extension of settlement which had been going on in so remarkable a manner to the south of the American boundary line, renders it a matter of great importance to establish within our own territory a counterpoise favourable to British interests, and modeled upon British institutions.

"13. Your Committee would suggest that it be referred to Her Majesty's Government to consider, after conference with Canada and the Company, the best means for drawing the line between those portions of the country which are or are not adapted for settlement; and how the territory susceptible of colonisation, and detached accordingly from the Company's jurisdiction, should be settled and governed under free institutions. We believe that some simple and inexpensive machinery could be devised, by the aid of which those districts, whether ceded to Canada or erected into a separate colony, could be effectively administered.

"14. Your Committee think it best to content themselves with indicating the outlines of such a scheme, leaving it to the Government to consider its details more maturely, before the Bill is prepared which will be necessary to carry it into effect.

"15. Your Committee are of opinion, that it will be proper to terminate the connexion of the Company with Vancouver's Island, as soon as it can conveniently be done, as the best means of favouring the development of the great natural advantages of that important island.

"16. Means should also be provided for the extension of the colony over every portion of the adjoining continent on which permanent settlement may be found practicable, to the west of the Rocky Mountains.

"17. As to these extensive regions, whether in Rupert's Land or in the Indian Territory, in which, for the present at least, there can be no prospect of permanent settlement by the European race for any purpose except that of the fur-trade, the Committee would recommend that the privilege of exclusive trade should be continued to the Hudson's Bay Company, and that such arrangement should henceforth rest on the basis of statute.

"18. Power, however, should be reserved to Her Majesty's Government to make grants within such territory for the purpose of mines or fisheries, but with due regard to the immunities and trade of the Company.

"19. Your Committee have now specified the principal objects which they think it would be desirable to attain.

"20. How far the chartered rights claimed by the Hudson's Bay Company may prove an obstacle to so doing, they are not able with any certainty to say. If this difficulty could be solved, not by adverse litigation, but by amicable adjustment, such will be best promoted by the Government after communication with the Company, as well as with the Government of Canada, rather than by detailed suggestions emanating from this Committee.

"21. Your Committee cannot doubt but that, when such grave interests are at stake, all the parties concerned will approach the subject in a spirit of conciliation and justice, and they therefore indulge a confident hope that the Government will be enabled in the next Session of Parliament to present a Bill which shall lay the foundation of an equitable and satisfactory arrangement in the event, which we consider probable, of legislation being found necessary for that purpose."

Resolutions proposed by Mr. Gladstone read 1<sup>o</sup>, as follows:—

"1. THAT the country capable of colonisation should be withdrawn from the jurisdiction of the Hudson's Bay Company.

"2. That the country incapable of colonisation should remain within their jurisdiction.

"3. That power should be reserved to Her Majesty's Government to make grants within the said territory for the purposes of mines or fisheries, but with due regard to the immunities and trade of the Company.

"4. That such jurisdiction should rest henceforward upon the basis of statute.

"5. That the Committee have to refer to the following paragraph in the letter of the Chairman of the Hudson's Bay Company, dated 18 July: "Assuming, however, the Company." And the Committee consider this as an expression of the willingness of the Company to accept in principle the arrangements above described.

"6. That it would accordingly, in the opinion of the Committee, be advisable that Her Majesty's Government should, after conference with Canada and the Company, fix upon the best means for drawing the line between the two descriptions of country above-mentioned.

"7. That it be referred to Her Majesty's Government to consider how the land capable of colonisation, and detached accordingly from the jurisdiction of the Company, should be settled and governed under free institutions.

"8. That the Committee see no objection in principle to an arrangement under which the actual surrender by the Company of the lands fit for colonisation might take place, only in proportion as it might be required for the purposes of early settlement.

"9. That the foregoing Resolutions are intended to apply to the whole country, from east to west, now under the Hudson's Bay Company; whether held by charter, statute, or the Vancouver grant.

"10. That inasmuch as the Company has tendered concessions which may prove sufficient to meet the necessities of the case, the Committee has come to no decision upon the question how far it may be, as some think, just and even necessary, or on the other hand, unwise, or even unjust, to raise any judicial issue with the view of ascertaining the legal rights of the Company."

Motion made and question proposed (Sir J. Pakington), "That the Draft Report proposed by the Chairman be read 2<sup>o</sup>, paragraph by paragraph." Amendment proposed (Mr. Gladstone), to leave out from the word "That," to the end of the question, in order to insert the words, "The Resolutions proposed by Mr. Gladstone be now read 2<sup>o</sup>, instead thereof":—Question put. "That the words proposed to be left out stand part of the question." The Committee divided:

Ayes, 7.

Mr. Matheson.  
Mr. Gregson.  
Lord Sandon.  
Mr. Gurney.  
Lord John Russell.  
Sir J. Pakington.  
Mr. Lowe.

Noes, 7.

Mr. Christy.  
Mr. Gladstone.  
Mr. Roebuck.  
Mr. Fitzwilliam.  
Colonel Herbert.  
Mr. Kinnaird.  
Lord Goderich.

Whereupon the Chairman declared himself with the Ayes.

Main question put, and agreed to.

Draft

Draft Report proposed by the Chairman read 2<sup>d</sup>, and considered paragraph by paragraph.

Paragraphs 1 and 2 read, and agreed to.

Paragraph 3 read; amendments were proposed and agreed to (Mr. Christy); paragraph, as amended, agreed to.

Paragraphs 4, 5 and 6 read, and agreed to.

Paragraphs 7 and 8 read, and negatived.

Paragraph 9 read. Question put, "That this paragraph stand part of the proposed Report." The Committee divided:

Ayes, 5.  
Mr. Lowe.  
Lord John Russell.  
Mr. Gurney.  
Mr. Gregson.  
Mr. Matheson.

Noes, 9.  
Mr. Kinnaird.  
Colonel Herbert.  
Mr. Fitzwilliam.  
Sir J. Pakington.  
Mr. Roebuck.  
Mr. Gladstone.  
Lord Sandon.  
Mr. Christy.  
Lord Goderich.

Paragraph 10 read, and negatived.

Paragraph 11 read.

[Adjourned to Monday next, at One o'clock.]

*Lunæ, 27<sup>o</sup> die Julii, 1857.*

MEMBERS PRESENT:

Mr. LABOUCHÈRE in the Chair.

Mr. Gregson.  
Mr. Gurney.  
Mr. Christy.  
Mr. Lowe.  
Lord Sandon.  
Mr. Matheson.

Mr. Blackburn.  
Colonel Herbert.  
Mr. Kinnaird.  
Sir J. Pakington.  
Mr. Fitzwilliam.

Paragraph 11 further considered, and amended.

Paragraph 12 amended, incorporated with paragraph 11, and agreed to.

Paragraph 13 read, and agreed to.

Paragraphs 14 and 15 read, amended, and agreed to.

Paragraph 16 read; amendments made. Amendment proposed, line 7, to leave out the words, "2<sup>d</sup>. The fatal effects which they believe would infallibly result to the Indian population from a system of open competition in the fur trade, and the consequent introduction of spirits in a far greater degree than is the case at present" (Mr. Fitzwilliam). Question put, "That the words proposed to be left out stand part of the paragraph." The Committee divided:

Ayes, 9.  
Sir J. Pakington.  
Mr. Lowe.  
Lord Sandon.  
Mr. Kinnaird.  
Mr. Gregson.  
Mr. Blackburn.  
Mr. Matheson.  
Mr. Gurney.  
Mr. Herbert.

Noes, 2.  
Mr. Christy.  
Mr. Fitzwilliam.

Another amendment proposed, line 11, to leave out the words, "and 3°. The probability of the indiscriminate destruction of the fur-bearing animals in the course of a few years" (Mr. Christy):—Question put, "That the words proposed to be left out stand part of the paragraph." The Committee divided :

Ayes, 9.  
Sir J. Pakington.  
Mr. Lowe.  
Lord Sandon.  
Mr. Kinnaird.  
Mr. Gregson.  
Mr. Blackburn.  
Mr. Matheson.  
Mr. Gurney.  
Mr. Herbert.

Noes, 2.  
Mr. Christy.  
Mr. Fitzwilliam.

Paragraph, as amended, agreed to.

Paragraph 17 read, and agreed to.

Paragraph 18 read. Amendments made. Amendment proposed, to leave out from the word "attain," l. 2, to the end of the paragraph, in order to add the words: "But it appears to Your Committee that unless the Hudson's Bay Company are willing to accept an offer upon equitable arrangement, it is obvious that in bringing this to a practical decision, the question of the validity of the charter will then necessarily present itself to be forthwith ascertained."

"Pending the possibility of such an investigation, which your Committee consider may be rendered indispensable to any final arrangement, they forbear to express any opinion as to the course which should be ultimately pursued. But, adverting to the willingness expressed by the Hudson's Bay Company to meet the desire of the Canadian people to obtain land fit for cultivation, and the establishment of agricultural settlers, Your Committee think it right to express their opinion, that in any event, the country capable of settlement should be withdrawn from the jurisdiction of the Hudson's Bay Company, whose objects and interests are admitted to be opposed to colonization" (Mr. Christy), instead thereof.

Question put, "That the words proposed to be left out stand part of the paragraph." The Committee divided :

Ayes, 8.  
Mr. Matheson.  
Mr. Gregson.  
Mr. Gurney.  
Mr. Kinnaird.  
Mr. Lowe.  
Sir John Pakington.  
Lord Sandon.  
Mr. Blackburn.

Noes, 2.  
Mr. Christy.  
Mr. Fitzwilliam.

Paragraph 19 read, and agreed to.

[Adjourned to Friday, at One.]

*Veneris, 31<sup>o</sup> die Julii, 1857.*

#### MEMBERS PRESENT :

Mr. LABOUCHÈRE in the Chair.

Mr. Matheson.  
Mr. Christy.  
Mr. Gladstone.  
Mr. Roebuck.  
Lord John Russell.  
Mr. Lowe.

Sir John Pakington.  
Lord Sandon.  
Colonel Herbert.  
Lord Goderich.  
Mr. Fitzwilliam.

Mr. Christy produced a document purporting to be resolutions passed at a meeting held at the house of Mr. Philip Kennedy, in the Red River Settlement, on the 26th May 1857, and the same was read to the Committee.

The Committee resumed the consideration of the Draft Report.

Motion

# ON THE HUDSON'S BAY COMPANY.

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Motion made, and question proposed, "That this be the Report to The House."  
Question put. The Committee divided:

Ayes, 6.  
Colonel Herbert.  
Mr. Matheson.  
Lord John Russell.  
Mr. Lowe.  
Sir John Pakington.  
Lord Sandon.

Noes, 5.  
Lord Goderich.  
Mr. Christy.  
Mr. Gladstone.  
Mr. Roebuck.  
Mr. Fitzwilliam.

Ordered, To Report, together with the Minutes of Evidence.

## EXPENSES OF WITNESSES

COMMITTEES of 1st and 2d Sessions, 1857.

NAME of WITNESS.	PROFESSION or CONDITION.	From whence Summoned.	Number of Days Absent from Home, under Orders of Committee.	Expenses of Journey to London and back.	Allowance during Absence from Home.	TOTAL Expenses Allowed to Witness.
Mr John Richardson	Gentleman	Easedale, Westmorland	Five	£. s. d. 6 18 -	£. s. d. 5 5 -	£. s. d. 12 3 -
Mr M'Laughlin	Gentleman	Belfast	Eight	9 - -	8 8 -	17 8 -
James Cooper	Merchant	Bilston, Staffordshire	Three	3 - -	3 3 -	6 3 -
TOTAL - - - £.						35 14 -



## LIST OF WITNESSES.

*Veneris, 20<sup>o</sup> die Februarii, 1857.*

John Ross, Esq. - - - - p. 1

*Lunæ, 23<sup>o</sup> die Februarii, 1857.*

Lieut.-col. John Henry Lefroy, R.A. p. 12

John Rae, Esq., M.D. - - - p. 26

*Jovis, 26<sup>o</sup> die Februarii, 1857.*

Sir George Simpson - - - p. 44

*Lunæ, 2<sup>o</sup> die Martii, 1857.*

Sir George Simpson - - - p. 78

Mr. William Kernaghan - - p. 108

*Jovis, 5<sup>o</sup> die Martii, 1857.*

Mr. William Kernaghan - - p. 110

Hon. Charles William Wentworth  
Fitzwilliam, M.P. - - - p. 118

Mr. Alexander Isbister - - p. 120

Rev. Griffith Owen Corbett - p. 137

*Lunæ, 9<sup>o</sup> die Martii, 1857.*

Rev. Griffith Owen Corbett - p. 146

Sir John Richardson, C.B. - p. 150

*Martis, 19<sup>o</sup> die Maii, 1857.*

Colonel John Ffolliott Crofton - p. 169

Rear-Admiral Sir George Back,  
F.R.S., D.C.L. - - - p. 184*Jovis, 21<sup>o</sup> die Maii, 1857.*

Mr. James Cooper - - - p. 190

*Jovis, 28<sup>o</sup> die Maii, 1857.*

Hon. William Henry Draper, C.B. - p. 210

*Jovis, 4<sup>o</sup> die Junii, 1857.*

Hon. William Henry Draper, C.B. - p. 231

Right Rev. David Anderson, D.D. - p. 231

Joseph Maynard, Esq. - - - p. 247

*Martis, 9<sup>o</sup> die Junii, 1857.*

Alfred Robert Roche, Esq. - - p. 248

Captain David Herd - - - p. 255

Mr. John Miles - - - p. 259

*Jovis, 11<sup>o</sup> die Junii, 1857.*

Mr. John McLaughlin - - - p. 262

*Lunæ, 15<sup>o</sup> die Junii, 1857.*

Richard Blanshard, Esq. - - p. 285

Lieut.-colonel William Caldwell - p. 298

Richard King, Esq., M.D. - - p. 312

*Martis, 23<sup>o</sup> die Junii, 1857.*

James Tennant, Esq. - - - p. 320

Right Hon. Edward Ellice, M.P. - p. 322

Mr. Alexander Isbister - - - p. 353

# MINUTES OF EVIDENCE.

*Veneris, 20<sup>o</sup> die Februarii, 1857.*

## MEMBERS PRESENT.

Mr. Adderley.  
Mr. Bell.  
Mr. Blackburn.  
Mr. Edward Ellice.  
Mr. Charles Fitzwilliam.  
Mr. Gladstone.  
Mr. Gordon.  
Mr. Grogan.  
Mr. Gurney.

Mr. Percy Herbert.  
Mr. Kinnaid.  
Mr. Labouchere.  
Mr. Lowe.  
Sir John Pakington.  
Mr. Roebuck.  
Lord John Russell.  
Viscount Sandon.  
Lord Stanley.

THE RIGHT HON. HENRY LABOUCHÈRE, IN THE CHAIR.

*John Ross, Esq., called in; and Examined.*

1. *Chairman.*] I BELIEVE you are a Member of the Canadian Parliament?  
—Yes.

*J. Ross, Esq.*

2. How long have you belonged to that body?—Since 1848.

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3. You were also, I think, a member of the Canadian Government for several years?—From 1851 until 1856.

4. What situations did you hold?—I was first Solicitor-general, subsequently Attorney-general, and afterwards Speaker of the Legislative Council.

5. You are aware of the objects for which this Committee has been appointed?—Yes.

6. Has your attention ever been directed to the question of the affairs of the Hudson's Bay Company, in so far as they affect the interests of Canada?—Yes. I have thought very much upon the subject for several years. I do not profess to be intimately acquainted with the affairs of the Hudson's Bay Company, but upon that branch of the subject with reference to how far it may affect Canada, I have thought a great deal.

7. You have never yourself, I believe, been in the territory of the Hudson's Bay Company?—Only upon the borders of their territories. I have never been further westward than Lake Superior.

8. I think you are connected with a railway in Canada?—Yes; I am at the head of the trunk railway of Canada.

9. You have probably often considered the subject with reference to the importance of extending communications in British North America?—I have thought very much of it.

10. Will you have the kindness to state to the Committee any views which you may have been led to entertain upon this subject?—The first subject, as it appears to me, which has been very much discussed (at all events it is now being discussed in Canada), is the occupation of that part of the North American Continent now under the control of the Hudson's Bay Company. It is very much discussed whether it is desirable that their privileges and control there should entirely cease. I have considered that subject very much, and the opinion that I express to the Committee of course I only give for what it is worth, and as my own opinion. I believe that when the subject is well discussed and presented to the

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Canadian public, it will then be considered somewhat in the light in which I view it. It is complained that the Hudson's Bay Company occupy that territory and prevent the extension of settlement and civilisation in that part of the continent of America. I do not think they ought to be permitted to do that, but I think it would be a very great calamity if their control and power in that part of America were entirely to cease. My reason for forming that opinion is this: During all the time that I have been able to observe their proceedings there, there has been peace within the whole territory. The operations of the Company seem to have been carried on at all events in such a way as to prevent the Indian tribes within their borders from molesting the Canadian frontier; while, on the other hand, those who have turned their attention to that quarter of the world must have seen that from Oregon to Florida, for these last 30 years or more, there has been a constant Indian war going on between the natives of the American territory on the one side and the Indian tribes on the other. Now, I fear very much, that if the occupation of the Hudson's Bay Company, in what is called the Hudson's Bay Territory, were to cease, our fate in Canada might be just as it is with the Americans in the border settlements of their territory.

11. How do you propose to reconcile the two purposes which you think ought to be aimed at, namely, the power of allowing the spread of settlement in such territory as is adapted for settlement, and yet maintaining the authority of the Hudson's Bay Company in any portion of their present dominions?—I think the most desirable course, and the most convenient one, would be this: So fast as the Canadian Government might wish to open up any part of the country for settlement, which they might upon exploration find it would be advantageous to open; say that they desired to open ten, twenty, or fifty townships of land, I think the convenient course would be to give notice to the Hudson's Bay Company that in a certain space of time, say in one year, or two years, whatever period of time might be considered best and most fair, they intended to make a survey of the space of country which they thought that they could conveniently occupy for settlement, and the Hudson's Bay Company should be required to surrender that territory within the period of time indicated. If they arranged to have what is called a post within the precincts of the territory, I think a reservation ought in fairness to be made for them to settle their people upon the land so to be surrendered.

12. Do you apprehend that there is any considerable extent of country near the Canadian frontier which would be adapted for settlement and the habitation of civilised men?—As I have already stated to the Committee, I have never been within the territory myself; I have never been further westward than Lake Superior, and all that I know of it is from what I have read and from conversations with some who have been born in the territory, and have gone up there and gone across the continent several times, and from others who have travelled over it once. I believe that at the west of Lake Superior, and from that to the Red River, there are parts of the country that might be very well settled. I fancy that an impression prevails that the whole of it is good country. The information which I have received leads me to believe that the greater part of the country is not good; that is, that it is broken and intersected by swamps to a very great extent. The country round the Red River is said to be very good producing land indeed; it is chiefly prairie land; I mean in the valley of the Red River; and there is great difficulty in obtaining wood, as I am informed; and I am told that there is no coal on the Red River.

13. Do you think there would be any difficulty in establishing regular communications between the Red River settlement and the present province of Canada, if any such arrangement as you have described could be effected?—If any project were mooted and were set afloat for carrying a railway across the continent, I believe it is conceded that that portion of the continent of North America over which the Queen's Government extends is the most feasible route that can be adopted. I believe that is conceded by all the American gentlemen who have investigated the subject, and I think it is so accepted now.

14. You have heard that opinion generally expressed?—I have heard that opinion expressed by leading and influential Americans who have investigated the subject; I believe it is Mr. Whitney's opinion; at least it is the impression that that is his opinion.

15. What is about the distance from the Red River Settlement to the extreme

extreme portion of the occupied part of Canada at the present moment to the west?—I should think about 1,000 miles from the Sault St. Mary, at the foot of Lake Superior, but I may be wrong, as there is no map in the room to which I can refer.

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16. Have these questions only recently occupied public attention in Canada, or have they been discussed for some time there?—I think it was during the very last summer that the discussion first commenced upon the subject. The question of the opening up of the territory has often for years been incidentally mooted, but a regular discussion of the question has never arisen until the course of the last summer, that I am aware of.

17. Do you think that if some arrangement could be made, such as that which you have described, by which the Red River Settlement, for instance, was taken out of the control of the Hudson's Bay Company, it could be conveniently governed and administered from Canada, or that it would be necessary to have some form of local government?—I do not think that, at present, it could be conveniently governed or administered by the Canadian Government. There should either be a railway constructed from the west end of Lake Superior to the Red River Settlement, or a good broad open road cut out and made; and land, such as might be fit for cultivation, laid off on each side of it for settlers to occupy, and as the occupation took place, and settlers went in, it could be extended; and in that way the Red River Settlement could be connected with our present lines of communication.

18. With regard to the country more to the north and north-east, do you imagine that there is any extent of country now belonging to the Hudson's Bay Company on the frontier of Canada, which it is probable would be occupied for settlement within a few years?—I think not; I do not think that in that direction there is any territory which could be occupied, or that it is probable will be occupied. I know that the Hudson's Bay Company held within the Canadian boundary a section of country which was called the King's Posts. They lay up towards the Labrador border, along the gulf of the St. Lawrence, from below the Saguaney River. They surrendered those posts to the Canadian Government, and during the time that I was acting as Attorney-general in Canada they were again leased to the Hudson's Bay Company. It is not a country which can be occupied with any advantage, because I believe that the natives, and the people who are there connected with the Hudson's Bay posts, if the Hudson's Bay Company were not there to assist them during severe winters, would starve.

19. Mr. Roebuck.] Do you know anything about the territory round the Saguaney River?—I have been along the whole of the Saguaney River, navigated by steamers.

20. Is not all the land at the Saguaney River very fertile?—No; I do not consider it is.

21. Do you remember M. La Terriere being there?—Yes, I know him very well.

22. It was his opinion, I believe, that it was a very fertile territory?—I may state for the information of the Committee what I know to be the fact. I have first of all been along the whole of the Saguaney River, during weather when I had an opportunity of observing the shores on both sides. I have been at the leading milling establishments on the river. It very often happens that when grain is sown there in the spring of the year, it does not ripen in the fall. That has very often happened during these last few years; almost every two years. The inhabitants living along the Saguaney River have suffered from that cause; and Dr. La Terriere has himself been at the head of deputations making applications for assistance from the Government to keep the people from starving. I believe that there are now quite as many people along the banks of the Saguaney River as can be maintained. I am aware that the opinion which I am expressing here may, perhaps, hurt the feelings of some of the gentlemen who live in that part of the country, who would desire to have a large settlement near them; but I must say, that I do not think it would be advantageous to the settlers, or for any other purpose, that an increase in the number of inhabitants should take place there.

23. Chairman.] Has any inconvenience ever arisen from the circumstance of the limits of Canada not being actually defined?—No; I think not. It is desirable that they should be; but up to this moment, I do not know that there has been any inconvenience from that cause.

24. In point of fact, are they ascertained and defined very accurately to your mind?

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mind?—They are not so accurately defined to my mind as is desirable. I have never been able to discover the distinct boundaries.

25. Does that observation apply only to the country to the west, or does it apply to the whole circuit of the boundary of Canada?—It applies more to the country to the west.

26. The water-shed line is the recognised boundary to the north and north-east, is it not?—That is taken to be the boundary. There is very often a dispute as to where that is.

27. Mr. Kinnaird.] Are you not apprehensive that in that part of the territory which comes in contact with the United States, there will be settlements made by the Americans, and that there will be difficulty hereafter, unless the boundary is defined?—The Americans are extending their settlements very rapidly towards the Red River, and it is very important that that boundary should be distinctly marked, and as soon as possible. That is my opinion with regard to that point.

28. Are any of them already, do you think, coming over and settling on our territory?—It is stated that numbers have crossed the boundary; of course that can only be ascertained by drawing the line.

29. Lord Stanley.] At present the Red River Settlement is not open to traffic in any direction, except that traffic which comes by canoes?—It is not.

30. Is there, in your judgment, any probability of a line of communication fit for traffic being established between the American settlements and the Red River?—I think it is tending to it very rapidly.

31. Do you know what the distance is from the nearest inhabited point within the United States?—I should think it about 400 or 500 miles.

32. Mr. Charles Fitzwilliam.] Do not the Red River half-breeds continually come down from the Red River Settlement to St. Paul's?—Certainly they do.

33. I think every summer they come down?—They do; but they have to cross a very large extent of territory on horseback to do so.

34. Do they not come down in their carts?—Yes, so I have been told; but a gentleman with whom I am very well acquainted, who recently crossed the country from St. Paul's to the Red River, and who was born there, informed me, I think, that it took him 16 days to cross from the last settlement to the north of St. Paul's, to the first settlement as he approached the Red River.

35. Mr. Edward Ellice.] You have never been there yourself, have you?—No.

36. Chairman.] If a man wanted to go from this country to the Red River, what route would he take as the easiest?—By St. Paul's.

37. Lord Stanley.] Through the United States?—Yes.

38. Mr. Roebuck.] But if your scheme of a railroad were carried into effect, he would go by that, would he not?—Most unquestionably; I should be very glad to see a railway made.

39. Mr. Edward Ellice.] In what direction do you propose to run that railway from Canada to the Red River; you alluded to the railways contemplated by Mr. Whitney and others; do you know that that scheme of railways is in connexion with the Minnesota scheme of railways running up from St. Paul's?—I do; the railway that I should desire to see carried out would be one to connect with our own scheme of railways in Canada.

40. Are you at all aware of the practicability of a railway, except at a most enormous expense, from the head of Lake Superior, from the Canada frontier, to the Red River?—During the last 18 months an exploration has taken place along the north shores of Lake Huron and a part of Lake Superior, and inland from the borders of both lakes along the valley running westerly, and the report of the gentlemen who were instructed to make the survey represented the land to be very good, bearing very fine timber, and to be well fitted for settlement; so that if we accomplished a connexion between the Canadian system of railways and the Red River country, it would be through the valley to the north of Lake Huron and Lake Superior until we got round Lake Superior.

41. The country of which I am speaking lies to the west of what I understand to be the Canadian boundary, taking the water-shed as the boundary; it runs about 500 or 600 miles from the extreme west end of Lake Superior, from the extreme west boundary of Canada to the Red River; I suppose your attention has not been directed to that country?—The extension of a railway over that country is just that of which I have been speaking; you would only have to make a curve if you could find a valley and get out of it at the west end of Lake Superior upon this country which I have been mentioning.

42. Your surveyors have not been through that country?—No.

43. Mr. Roebuck.] Where does your railway end?—It is now very nearly carried to Lake Huron; there is another railway connecting with it which also runs to Lake Huron, but it runs north from Toronto to Nottawassaga Bay.

44. I suppose you require Acts of the colonial Parliament to enable you to make those railroads?—We do.

45. How far have you got Acts of the colonial Parliament enabling you to do so?—We have an Act of the colonial Parliament authorising the construction of a branch from a town called Belleville, near the head of the Bay of Quinty, an arm of Lake Ontario, northerly to Lake Huron; that is the furthest point to which the branch goes; by extending that line you could get into the valley to the north of Lake Huron, of which I have been speaking, and over which an extension to the Red River might be made.

46. You contemplate the extension of that railway to the north of Lake Huron and to the north of Lake Superior?—Yes, when we can get settlements and get it carried out.

47. The extension of the railway, I suppose, is dependent upon the settlement of the country?—Very much, I think.

48. Do you believe that a country can be settled which is retained for hunting ground?—I do not.

49. Then the hunting ground is incompatible with the settlement of the country?—That is my own impression, merely speaking from my own notion of the matter, without being a practical hunter; we find, as a matter of fact, that the wild animals recede from the settlements.

50. Then the exclusive power of the Hudson's Bay Company over the country, as a fur-hunting company, is opposed to colonization?—I think if the Hudson's Bay Company asserted their power over any part of the country that is fit for cultivation, it would be an obstacle if they resisted the settlement of it.

51. In fact, then, the contemplated extension of the railway by you is incompatible with retaining the power now possessed by the Hudson's Bay Company?—It would be so most certainly, if they resisted the giving up of any of the territory fit for the purposes of settlement.

52. That is to say, that so long as they retain their power over the country which can be settled, it will not be settled?—I do not say that, because I do not know what they are willing to do; I have had no conference with them, and I am not able to say whether they are willing to give up the country which is fit for settlement.

53. But it is to be supposed that a fur company promote the interests of a fur company?—It would be reasonable to suppose so.

54. Then those interests which are contemplated by the extension of the railway are opposed to the interests of that Company?—As I tell you, that must depend entirely upon whether they would resist our carrying a railway through their country; they might give up their rights there; it may be that there are not furs there now, or that they might think it more advantageous to have settlements which would afford them supplies, where they could get corn, grain, beef and pork more cheaply than they could bring them from abroad; I do not know what their views are, for I have not conversed with any of the members of the Company upon the subject.

55. Have you ever contemplated a scheme of colonization by the Canadian Government like to that which is now pursued by the American Government?—I have never contemplated it in any other way than I indicated, I think, in my second or third answer to Mr. Labouchere; which is, that so far as any part of the country adjacent to the settled parts of Canada is required for purposes of settlement, I think we ought to have the power of settling it, and I think that the Hudson's Bay Company ought to be required to give it to us.

56. I suppose you are perfectly familiar with the system of colonization on the part of the United States under the Ordinance of 1783?—Yes, I think I know the whole of the system as it is pursued.

57. Have you ever contemplated the propriety of giving that power to the colonial Government to make territories after the fashion of the American Government?—It was at one time spoken of in Canada, and it was considered that there would be very great difficulties connected with it. I may mention a fact which probably will be within your recollection; I think it was in the year

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1849. The Canadian Government had previously granted licences to certain companies for mining purposes on Lake Superior; one company, I think it was called the Quebec Company, took possession of an island, Michipicoton Island in Lake Superior, and established works there. Certain Indians, the Garden River Indians, known as the Garden River Tribe, and certain half-breeds, asserted that they had a right over those lands for which a licence had been granted, and they went by force and took possession of the Island of Michipicoton and of the works of the mining company. The Canadian Government of course arrested the parties, and so far as the Indians were concerned, upon the expression of their contrition for doing wrong, they were forgiven, and in the end a compensation was given to them to surrender their rights; but that cost the Canadian Government so much money, that I think whatever they might have considered as regards colonization, they have felt very much alarmed at the idea of getting into contact with Indians since.

58. Then I understand your objection to be, that money should be paid by the Canadian Government. If it were paid by the Imperial Government I suppose you would see no objection to that compensation being made?—The question of compensation as regards the Imperial Government I have not raised at all. I think if the Canadian Government required for purposes of settlement any portion of the territory which is not now within their borders, such compensation as might be considered fair they might fairly be called upon to pay.

59. You did not perceive the force of my first question. When they acquired land beyond their borders, I propounded to you the inquiry whether you thought it better that the acquired territory should be made a territory, or aggregated to Canada?—I do not think that under the system of government which exists in Canada now, such a course of acquiring new territory, and governing it by means of territorial government, would be convenient or conducive to the interests of Canada. I think they had better take what land they may require for purposes of actual settlement, say to the extent of 10, 20, 30, or 50 townships of land, and so fast as they want more, obtain it in the way I have suggested, by notice to the Hudson's Bay Company, than that they should get a large extent of country with tribes of Indians, perhaps, occupying it, and perhaps a border difficulty, or war to deal with; I think that would not be advisable.

60. Would not the difficulty arise just as much whether you acquired 20 settlements or townships or 30?—It might in that proportion of 20 and 30; but if notice were given to the Hudson's Bay Company that within 12 months or two years the Canadian Government desired to occupy such part of the country as might be fitted for settlement, the Indians whom the Hudson's Bay Company employ and deal with, finding that settlements were to be established, it might become a question of compensation to the Indians to leave their hunting ground, which I think the Canadian Government should pay, and they would remove off that part of the territory; or not continue to occupy it. The thing, I hope, would be fairly and equitably done as regards the Indians, and in that way I think difficulties perhaps would not ensue. But if you take a very large extent of territory, and by so doing take away the employment which the Hudson's Bay Company at present give to tribes of Indians, and leave them in want, they may perhaps find means of helping themselves, and they may come down upon the border settlements.

61. Mr. Kinnaird.] You rather think that the fact of the occupation given to the Indians by the Hudson's Bay Company has been a protection to the border country?—I am clearly of that opinion.

62. Mr. Adderley.] To what degree do you think the Canadian Government could extend its system of administration from head quarters?—At present I am not sure that it would be convenient to extend it at all.

63. Talking of the extension of the colony of Canada, do you consider that it could, by degrees, take in the whole of the habitable part of the Hudson's Bay territory?—I think so.

64. Under the Government of Canada, without any local or subordinate system?—Yes, I think so, in case they could lay off the townships; but the fact is, that it would not be desirable to settle them any faster than that.

65. The compensation which you suggest, I suppose would be from the Canadian territory, both to the Hudson's Bay Company and to the Indians?—I have not suggested any compensation at all. I only say that if the giving of compensation

compensation be equitable and fair, if the Canadian Government require the territory for purposes of settlement, whatever that compensation may be, I think it fair that they should meet it. J. Ross, Esq.

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66. Compensation to both parties, the Company and the Indians?—To both parties, if any compensation should be paid. If the Hudson's Bay Company surrender a territory fit for settlement, which of course should only be where the Canadian territory approaches it, I am not sure that for that any compensation should be given. I only suggest that if they are called upon to give up posts they should be allowed to retain a certain portion of the land for their employes about them, and hold it as a part of their own property.

67. When you speak of the possibility of carrying out a railway depending upon settlement, might it not be possible that the more distant parts might be settled first, and that the railway might pay as the means of thoroughfare to the furthest point?—The usual way of beginning such a settlement is by cutting a good broad road through the territory which you intend to open up, and then laying off your allotments of land on each side for actual settlers. That would, I suppose, be usually the first process before the railway was attempted to be made. You would carry on the thing in that way by degrees.

68. Talking of a great continent like that, supposing Vancouver's Island and the western side of the Rocky Mountains settled, although the part between that and Canada was still wild, might not a railway be a very feasible plan as a means of thoroughfare to that part which was settled?—I think it might, but I think that more of an imperial question than a colonial one.

69. Do you think that too large an experiment for Canada to make?—Yes, with her present resources.

70. If the whole of the Hudson's Bay territory were settled, do you not think that Vancouver's Island would be most attractive to settlers?—Yes.

71. Long before the intervening portion of the territory between that and the western side of Canada could come into settlement?—So far as my information goes, that is the best for settlement, and would be the first settled.

72. The idea of a railroad, ultimately, is not so much for the benefit of the interior of the country, as for a means of thoroughfare and access to harbours on the western coast of America, is it?—That is so, and for the through trade from China and India. The construction of that railway is a most important subject; apart entirely from the opening of the country through which it would pass.

73. Mr. Gordon.] Are you aware that a society has been established, at Toronto, for the purpose of forming a colonization to the west of Lake Superior, between that and the Lake of the Woods?—I believe there are certain gentlemen at Toronto very anxious to get up a second North-west Company, and I dare say it would result in something like the same difficulties which the last North-west Company created, I should be very sorry to see them succeed. I think it would do a great deal of harm, creating further difficulties for Canada, which I do not desire to see created.

74. You do not know anything of the nature of the society or association, recently formed, and what weight deserves to be attached to it?—I do know several of the gentlemen who are moving in it; I know that at least one of them was very instrumental in making the difficulty which was made with the Garden River Indians, and the half-breeds in 1849, of which I have been speaking. I believe he was at their head at the time that they seized upon and took possession of the Quebec Company's works upon the island of Michipicoton.

75. Then you do not apprehend that there is any general wish, on the part of the people of Canada, to have that portion of the country added to what they now have?—I believe there is a general wish that so fast as the territory can be occupied, for purposes of settlement, means should be taken that it should be so occupied.

76. Do you believe that those portions of the territory, capable of being colonized, are such as to afford sufficient attractiveness to bring colonists to that distance, in preference to more attainable points of settlement, much nearer the settled parts of Canada?—I should say not at present; I should say they much prefer the nearer lands to more distant ones.

77. Mr. Roebuck.] Do you say that from your experience of colonization in the United States?—I say it from my knowledge of public affairs in Canada



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solely; I speak of what I think desirable for the Canadian Government and people.

78. Do you know the extent to which new territories are created by the United States?—I know the usual process.

79. I refer to the extent of territory over which they pass; take Iowa, for instance?—Iowa has been settling for these last 20 years; I believe the first settlements in Iowa were made in 1834 or 1835.

80. When Iowa was begun to be settled there were very large masses of unsettled land, but still people went to Iowa?—There were, but they were not very good lands, poor lands.

81. *Chairman.*] Iowa, I believe, is a country of remarkable fertility?—It is.

82. *Mr. Roebuck.*] But on the Genesseees there were very large quantities of very fertile land unoccupied?—If there were, they were held at so high a price that it was not within the means of the class of settlers to occupy them; they were held, for instance, at the rate of 100 dollars, or about that; they could not be bought for twice that now.

83. Before Iowa was settled, did they not create a new territory west of Iowa?—My impression is that they did not; I think the territory of Wisconsin was a little before that time begun to be settled, and within the next year or so, Iowa was thrown off, but I do not think that previously to the opening of the Iowa Settlement, there was any country to the west of it at all.

84. Before Iowa was filled up, they began a new territory west of Iowa?—They did.

85. Might not that same circumstance occur in Canada, that, before Canada was filled up, people might travel farther westward?—You will observe that all these territories are adjacent to settlements; for instance, if a settlement began on Iowa, there would be a starting point for the settlement of a territory beyond; but when you have a space of 1,800 miles intervening, as in the case of the Oregon territory, and probably more than that, it does not seem to me a convenient course of settlement.

86. Is that accurate respecting the Oregon territory; that was not contiguous to any territory whatsoever?—The Oregon territory was not settled from Canada.

87. I am talking of a settlement from the United States?—Oregon had been partially settled before the United States got possession of it.

88. I am endeavouring to point out to you that Oregon is an isolated territory, far from any other settled territory, and still people go there?—If people go there, they usually go by sea; at least, they did so until the overland route to California was established. Of course, it is well enough known that a few persons had travelled across the continent before that time, but very few persons, however; and in going there they went round by sea; now there is no way of getting round by sea to the Red River Settlement. If you go there you must either go directly across the country from the west end of Lake Superior, or you can take the better route through the United States, and by St. Paul's.

89. *Mr. Charles Fitzwilliam.*] Is it not the fact that, annually, at least 4,000 emigrants cross from the Missouri River to the Oregon territory?—I should doubt it; I am not inclined to believe it.

90. To California?—I am not able to say the number.

91. *Chairman.*] Is not settlement progressing fast in the vicinity of the Red River, on the American side of the frontier?—Not in the vicinity, I think. I stated awhile ago that I thought it was at least 400 or 500 miles from the last settlement to the north of St. Paul's, to the first settlement at the Red River.

92. *Sir John Pakington.*] Do you mean that there is no intervening settlement whatever in those 400 or 500 miles?—I believe there is no intervening settlement; I may overstate the distance a couple of hundred miles.

93. *Mr. Grogan.*] There are railways running into St. Paul's, are there not, or very near it?—Within a few miles.

94. Are any extensions of those lines contemplated, in the direction of the Red River, which would shorten the distance that way?—I think the Americans, who are interested in those roads, contemplate their extension. I do not know anything about those companies, beyond the fact that one year you have no railroad at all, and the next year a great many miles are made.

95. *Mr. Edward Ellice.*] I think you said just now that Mr. Whitney, who had

had surveyed that territory, had gone all the way north there?—Yes; and I believe he has been across the continent there.

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96. Mr. *Adderley*. What is the nature of the country there, north of St. Paul's?—A very good country, I believe.

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97. Is it more or less squatted upon by stragglers beyond the settlements?—That is the way the settlement is now going on.

98. What is the first point of actual settlement within what you would call the squatting district?—The latest information that I have upon the subject is in a work of Mr. Oliphant's, and in conversation with a gentleman who went across the country, and I believe there is no settlement at all. Mr. Oliphant has written a work called "Minnesota and the Far West," giving an account of a trip which he made from the head of Lake Superior across the country to the river above St. Paul's, and he came down that river, and so homeward. I believe there are no settlements between the most southerly point of the Red River Settlement, and the most northerly point of the St. Paul's Settlement. I believe there is a space of from 400 to 500 miles without settlers; there is a long extent of country where there is not even a squatter.

99. Mr. *Roebuck*.] Have you any notion whether any attempt has been made to number the Indians upon the territories of the Hudson's Bay Company?—There is a work of Sir George Simpson's which I remember to have read. I think it is called "A Voyage round the World," or some such title as that, in which, I think, he gives some account of the numbers of the Indians approximately. That is the only authority that I have seen upon the subject.

100. You have no knowledge of what the numbers of the Indians are upon that territory, which you suppose may eventually become inhabited from Canada?—No; the Canadian Government has no information upon the subject.

101. Then you have no grounds for an opinion as to the danger arising from the opposition of the part of those Indians?—I know that there are large numbers of Indians within the territory from the statement of Sir George Simpson, for instance; I know it from others who were born on the territory, and have grown up in it, and who have come to this country to be educated, who say that there are large numbers; but I would not attempt to give to the Committee a statement of anything like the exact numbers, for I am not sufficiently informed.

102. *Chairman*.] Is it not the case that that part of the territory of the Hudson's Bay Company which is valuable for the fur trade is not the part which is properly adapted for settlement, but is rather a more northern and a colder part?—That is our impression in Canada, but in that we may be wrong.

103. Mr. *Blackburn*.] I think you say that you know no parties in Canada wishing to settle the Hudson's Bay territories?—There are parties who wish to get up another North-West Company.

104. An opposition company?—Some company who will lead to profitable speculation. I do not think any person seriously desires to settle any of the Hudson's Bay territory at present.

105. Mr. *Gordon*.] The association of which I spoke is not a fur company at present, is it?—It might be converted into anything.

106. Lord *Stanley*.] Can you state to what extent occupation has gone on up the Ottawa River?—I could send, I think, from papers which I have in my possession, the last census returns on the Ottawa.

107. Mr. *Edward Ellice*.]—Are you aware that the Government has offered 4,000,000 of acres on the Ottawa to any company who will undertake a railway there?—I am.

108. Mr. *Roebuck*.] How near do the head waters of the Ottawa approach to the territories of the Hudson's Bay Company?—You go north to the watershed, I suppose, towards Hudson's Bay.

109. Have the boundaries between Canada and Hudson's Bay ever been settled?—I think not on the west.

110. That is on the north?—That would be north-west.

111. Mr. *Lowe*.] Has the valley of the Ottawa ever been completely surveyed?—The greater part of it.

112. Are there not some of the tributaries not yet surveyed, or traced?—Yes; a great deal of the valley has been surveyed, however.

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113. Is the valley at all completely settled?—It is not.

114. A very small portion of it?—A considerable portion of it; it is merely a narrow strip of settlement so far as the north shore of the Ottawa is concerned.

115. Do you think that persons will be likely to go on, and settle on the Red River, till the good land on the shores of the Ottawa is taken up?—I think not, from my own experience.

116. *Mr. Roebuck.*] Does that arise from experience of the United States?—I speak from what I think are the dispositions of the Canadian people.

117. I am speaking now of emigrants?—I think that emigrants would prefer getting good and cheap land as near the great lines of communication as possible.

118. Is that the case in America?—I think so.

119. Would you say that that is the case in the United States, that large territories have not been colonised, when very large portions of very fertile land lying intermediately have remained uncolonised for a long time?—I know that it has so happened, but they have always a starting point; they have always a settlement adjacent to them.

120. Is that true?—I think so as a rule.

121. I point out Oregon?—I told you that they went there in ships; they had communication in that way.

122. They had no place lying near Oregon?—They have now California to the south of them; but the settlement of Oregon first began from sea; there was an occasional pilgrimage across the country, at intervals of long years, of a few people; but it began by sea, and it chiefly goes on in that way now; they go across the country now in part to California, and partly by sea from California they go northwards in ships and steamers.

123. *Mr. Kinnaird.*] I gather from your evidence that you think that what is taking place in the United States is no guide for what would take place in Canada; do you think there is a difference of feeling altogether among the two people?—I believe they all desire to get land as fast as they can on both sides.

124. *Lord John Russell.*] Is there any difficulty in governing people at a great distance from the seat of government in Canada, with regard to police or the collection of taxes?—No; if land be laid out in townships for settlement under the authority of the Government, it is included in the adjacent county, and it comes within the municipal regulations of the county within which it is included.

125. *Chairman.*] But I believe you stated that you thought a settlement at so great a distance as the Red River is from Canada would be, at present at least, an inconvenient adjunct to the province of Canada?—Yes.

126. *Mr. Gordon.*] Until a road and railway were made?—Yes, until means of communication are opened up. I think if the Canadian Government desired to settle any part of the country west of Lake Superior, and desired to bring the Red River Settlement under their control, they would first begin by cutting a broad road through some good land next Lake Superior, and laying off allotments of land, and promoting the occupation in that way.

127. *Chairman.*] You think that accessibility should first be established, and that then annexation might follow?—Yes.

128. *Mr. Gordon.*] Do you say that accessibility alone would be sufficient, or accessibility and the annexation of the colony?—I think it desirable to have access first, and afterwards the annexation of the colony.

129. Is it not practically found that a population consisting, as that of the Red River Settlement does, of a very great proportion of half-breeds and Indians, is more difficult to govern than one consisting entirely of whites?—I think so; all half-breeds are difficult to govern. I speak now particularly of the difficulties which they created in connection with the mining licences.

130. You think a half-breed population is more difficult to govern than a white one?—I think it is less governed by those rules of order and that sense of propriety which prevails in a white population.

131. Then that fact would increase the difficulty of governing the Red River Settlement?—I think it would.

132. *Mr.*

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132. Mr. *Edward Ellice*.] Do you think it would be possible to govern the Red River Settlement, from the head seat of government in Canada, until there were good communications made between those two parts of the country?—I think it would be possible, but very inconvenient, and that the country would not be well governed.

133. Are you aware that for seven or eight months in the year it would be impossible to communicate from Toronto with the Red River, except through the United States?—I think it would be impossible, or nearly so, at present.

134. Lord *Stanley*.] You do not mean that mails could not be sent?—I think it would be almost impossible to send mails in the present state of the communications.

135. Mr. *Roebuck*.] Could not the country govern itself?—I dare say it could.

136. Do not they do it in the United States?—Not in small communities.

137. Take a territory; do not they immediately form a government?—When a territorial government is authorized they immediately form that government.

138. Could not that be done in the Red River Settlement?—I dare say it could.

139. *Chairman*.] Do you know what the rules are upon that subject?—There is a law of Congress of the United States fixing it.

140. Mr. *Edward Ellice*.] What effect do you suppose would be produced upon the Indian population by forming the Red River Settlement into a separate territory for government under its present circumstances?—I think experience has shown that in the United States, wherever these governments have been formed, they have come into collision with the Indians on their borders.

141. Are you aware of the war which is at present going on in the Oregon territory?—I know from the newspapers that there is a war going on there, and that it has been going on for some time.

142. Mr. *Gladstone*.] Will you explain your answer as to the impossibility of communication with the Red River for several months in the year except through the United States?—There are points of settlement along the north shore of Lake Huron, extending up to Garden River, and so on, up to St. Mary. During a great part of the year the mails are carried from Penetanguishine across the ice to the different points where they are desired to be left.

143. On Lake Huron?—On Lake Huron; that is the only way in which the mails are carried during winter; very often the ice is in such a dangerous state that the crossing may not be made for a month; the Bruce mine is another point, and the Island of St. Joseph's another, and there are other large islands lying adjacent to the north coast of Lake Huron and so up to St. Mary's Falls at the foot of Lake Superior. When you take into consideration the great depth of the snow, the thinness of the settlements, and the fact that you have to carry the mails on foot across the ice, I think till you really carry the settlement into the valley to the north of Lake Superior, you are completely cut off from communication through Canada with the Red River during the winter months.

144. What was the route through the United States which you indicated as possible?—Round by St. Paul's, and from St. Paul's to the Red River.

145. Mr. *Roebuck*.] There is no difficulty, then, in your view in settling the north shore of Lake Huron or the north shore of Lake Superior?—Judging from the reports which we have had during the last 18 months from our surveyors, there is no difficulty.

146. So that if settlement went on there would be no difficulty in opening the Red River?—If settlement went on there would be no difficulty, as far as I am informed, in settling the Red River.

147. Then the idea which some people have got into their heads of an impassable morass between Lake Superior and the Red River is in your opinion incorrect?—That it is impassable is, I think, incorrect. I have been told by those who have travelled across the country that there is a great deal of swamp there; I believe there is more broken and bad land than good lying in that country between Lake Superior and the Red River Settlement.

148. But you think it possible to run a railway there?—Quite.

149. Mr. *Edward Ellice*.] What is the distance, do you think, in miles, from

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the western portion of the Ottawa to the head of Lake Superior, near the country that you have been talking of, where a railway may be run; is it 1,000 miles?—It is about 800 I should think.

150. Mr. Bell.] What is the distance from the most distant point of Lake Superior to the Red River Settlement?—In round numbers, 1,000 miles from the Sault St Mary.

151. Mr. Roebuck.] What is the extent of your contemplated railway, from the point to which you have now obtained an Act of Parliament, to the point which you contemplate eventually?—We desire to have it carried across the continent, believing that it will be for the interests both of the Imperial and of the Canadian Government; and we think that the trade with China and India might be drawn over that line of communication. Perhaps it is taking rather a long flight.

152. You contemplate, then, going across the Rocky Mountains to Vancouver's Island?—Yes, we hope to see it extended there in time.

153. How far is it from the head of your present railway concession, if I may use that term, to the Red River?—It is upwards of 1,200 miles, I should think.

154. Then the railway to get to the Red River would pass to the north of Lake Huron and the north of Lake Superior?—Yes.

155. And you think it perfectly feasible?—As at present informed, I do.

156. Mr. Gordon.] Is it not the fact that the banks of the Saguenay are extremely precipitous and inaccessible, and that that is one of the difficulties in the way of having a prosperous settlement there?—The banks are very precipitous: but I was speaking of those parts which are cultivated.

157. The valleys?—The valleys.

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#### MEMBERS PRESENT.

Mr. Adderley.  
Mr. Bell.  
Mr. Edward Ellice.  
Mr. Charles Fitzwilliam.  
Mr. Gordon.  
Mr. Gregson.  
Mr. Grogan.  
Mr. Gurney.  
Mr. Percy Herbert.

Mr. Kinnaird.  
Mr. Labouchere.  
Mr. Lowe.  
Sir John Pakington.  
Mr. Roebuck.  
Lord John Russell.  
Viscount Sandon.  
Lord Stanley.

THE RIGHT HON. HENRY LABOUCHERE, IN THE CHAIR.

Lieutenant-Colonel John Henry Lefroy, Royal Artillery, called in;  
and Examined.

Lieut.-Colonel  
J. H. Lefroy, R.A.

158. *Chairman.*] I BELIEVE you are connected with the War Department? —I am; I am Inspector-general of Army Schools.

159. Have you had occasion to become acquainted with British North America?—I resided 11 years in North America, and passed nearly two years in the territories of the Hudson's Bay Company.

160. In what capacity did you visit the territories of the Hudson's Bay Company?—I was employed under the general direction of the Royal Society to make magnetical observations over the whole of the accessible portion of their territory.

161. In the performance of that task did you travel very much over the territories of the Hudson's Bay Company?—I visited almost the entire region; every place of any consequence on the east side of the Rocky Mountains.

162. Did

162. Did you go at all to the west side of the Rocky Mountains?—Not at all.

163. The Committee will be glad to hear your opinion of the physical state of that country with reference to the capacity for cultivation and settlement?—The general opinion which I was led to form was, that agricultural settlement can make but very slender progress in any portion of that region.

164. Did you visit the Red River Settlement?—I did.

165. Is not that a part of the country very well adapted for agricultural purposes?—The Red River Settlement is pretty well adapted for them, although it does not bear comparison with the best parts of the British American colonies; but it forms but a small proportion of the whole region.

166. Do you mean to apply the observation which you have made to the country generally that borders upon the limits of Canada at present?—I should apply it particularly to that country, so far as my observation goes. As we proceed to the interior, we do come to a region in the neighbourhood of the Rainy Lake, and between the Rainy Lake and the Lake of the Woods, which seems to me to possess agricultural facilities. It seems to have the conditions of soil and climate not much more unfavourable, perhaps not more unfavourable, than in many parts of Lower Canada.

167. When you say that you think that, generally speaking, there is not much land contained in the territories to the east of the Rocky Mountains beyond the borders of Canada, which is calculated for settlement and cultivation, do you say that chiefly on account of the nature of the soil, or on account of the nature of the climate?—On account of both causes. With regard to the nature of the soil, a very large portion of the region is primitive in geological formation, almost entirely denuded of soil. The frosts are so intense, that over a very large portion the soil is permanently frozen. The seasons are so short and so uncertain, that crops are liable to be cut off by unseasonable frosts at periods that make it almost impossible for the husbandman to reckon with any certainty on a return.

168. Do you know the Saskatchewan district?—I have been once up and once down the River of Saskatchewan.

169. Is there no land in that district which you think would be susceptible of cultivation and fit for settlement?—Undoubtedly there is such land in that district, and it is along that district and a little to the north and south of it that the agricultural land is to be found. Cultivation has actually been tried with some success at Fort Cumberland on the Saskatchewan; wheat has grown there; with uncertainty, however, from the cause I alluded to just now, but still sufficiently to add greatly to the comforts of the residents of the district.

170. Are you acquainted with the country which belongs to the United States to the south of the border between the two countries?—I am not.

171. Lord Stanley.] You spoke of an attempt at cultivation in the neighbourhood of Fort Cumberland. The settlement at Fort Cumberland, I believe, was not made for any purpose of colonisation, but simply as a trading post?—Entirely so; but there was a small attempt at settlement on a spot immediately adjoining, called on the maps the Basquiau River, but commonly called in the country the Pas; a settlement of civilised or christianised Indians has been formed there for the last 10 or 12 years, and they have succeeded, in some degree, in cultivating the ground.

172. Do you know what crops arise there?—They grow wheat, barley, potatoes, and various vegetables.

173. Mr. Roebuck.] Do they grow any Indian corn?—No. I believe that Indian corn will not ripen except by matter of accident in that region.

174. Mr. Grogan.] With regard to the wheat, was it a crop that could be depended upon at all?—I am inclined to think not, but I do not speak with much confidence.

175. Or the potatoes?—The potatoes could be depended upon, I believe. I never heard that they had had any disease. In all instances in which these crops grow the returns are exceedingly small.

176. Will they ripen?—Yes, but you do not get the same crop in proportion as you do in more genial countries.

177. Do oats grow there?—I never heard of their being tried, but they would, no doubt.

178. Mr. Roebuck.] Do not oats grow more northerly than wheat?—Certainly.

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179. If wheat would grow there oats would grow there?—According to the best data we have, which are very imperfect, wheat will grow where the mean summer temperature gets up to 59°, and Fort Cumberland is pretty near the limit of that.

180. Mr. Grogan.] Do you mean that it will ripen?—Yes.

181. Mr. Bell.] Are you acquainted with the statement of Sir Alexander Mackenzie, that he saw on the Elk River a kitchen garden as fine as any in the world?—I do not remember that particular statement, but I dare say it is true.

182. Have you reason to believe it is correct?—Yes; most vegetables, or anything requiring a short summer, will grow there very well. The summer, while it lasts, is a very genial one, although there happen in it frosts; but if a little care is taken in covering the things over they grow very well. I have seen near Norway House, at the top of Lake Winnipeg, rhubarb, peas, cabbages, and many other vegetables growing with success.

183. Mr. Grogan.] But it would be impossible to cover in the crops on a large scale?—Quite so.

184. Mr. Roebuck.] When does the winter begin upon the Saskatchewan River?—The Committee could get very accurate data upon that subject by calling for a return of the dates at which the traders at each post leave their district with their boats, because they invariably do that the moment the ice in the river breaks up; and it is hardly fair to consider that the spring begins till that time; as to the winter, the weather gets very cold, I believe, and such as to occasion hard frosts, early in October, but the region is very large.

185. I pointed your attention to the Saskatchewan River; when does the winter begin there?—I am unable to answer that question.

186. Then you do not know when the winter ends there?—I can only speak from general impressions, but not with statistical accuracy; the winter, speaking roundly, may be considered, upon the Saskatchewan River, to last from October to April, both months inclusive.

187. Then summer, beginning in April, begins earlier than it does in Canada?—There is an intermediate season between winter and summer, namely, spring.

188. Spring begins earlier than it does in Canada if it begins in April?—Am I to speak of Eastern Canada or of Western Canada? I shall have the greatest pleasure in preparing myself to give the most accurate information I can upon this point on another occasion. I cannot state any precise data, but can only speak in a general way.

189. Lord Stanley.] From your experience of Canada, and of the Hudson's Bay territory, have you formed any opinion respecting that which is said by many persons to exist, namely, a gradual amelioration of the climate?—I have met with no facts which give me any such impression, nor should I credit it.

190. In your opinion, taking the country which you refer to as the most favourable part for cultivation of the Hudson's Bay territory, namely, that between the Rainy Lake and the Lake of the Woods, is there anything in that country which would be likely to attract settlers who have the unsettled lands of Canada at present open?—There are always a class of adventurers who will push to the most remote region wherever it is; but if they were acquainted with the relative advantages of the two positions I do not think they would choose the former.

191. Lord John Russell.] With regard to any settlement that you are acquainted with, who are the class of people that go and make settlements; are they from Canada, or are they from the United States; take the Red River Settlement and others?—The Red River Settlement is, I believe, composed almost entirely of persons sent out by Lord Selkirk about 35 years ago. The Hudson's Bay Company did not, within my information, add to the settlement, except by the importation of a limited number, I think about 20 families, from Lincolnshire, perhaps 20 years ago; I think it was about the year 1838; the rest of the population is made up of half-breeds and French Canadians, who have straggled there from all directions. The purely English element is not very large. The Hudson's Bay Company make little use of English labour; they make use of Scotch and Orkney labour, and there are a good many Scotch and Orkney men there.



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192. Is there any part of the territory that you are acquainted with to which persons who go to the far West from the United States seem desirous to go? —I think not; the difficulty of access is so very great that it never has attracted emigration, I think, from any quarter; it had not done so down to the time that I speak of, from the south.

193. You have not since heard that there is any great desire to settle in those districts either from Canada or from the United States? —I know that there are many persons in Canada who have a strong impression that it is a productive region for settlement; I do not think anything that can be called a pressure in that direction exists.

194. Mr. Roebuck.] Do you know the United States territory in Minnesota at all? —I do not.

195. That is just south of the line running between the two territories? —Yes.

196. And it is about, I think, the latitude of Quebec; directing your attention to that line, you see there a river called the Red River? —Yes.

197. Do you know that at all? —I know the Red River running into Lake Winnipeg, but not the Red River running into the Missouri.

198. I speak of the Red River running into Lake Winnipeg; looking at that river running out of Minnesota into the territories of the Hudson's Bay Company, do you know whether, on the northern parts of that river, the banks are habitable, or not? —The Red River Settlement occupies, in a straggling manner, about 50 miles of the course of the Red River itself, and a portion of that ground is under cultivation; not very much, because the habits of a great proportion of the population of the country are opposed to regular industry.

199. It being under the command of the Hudson's Bay Company, does not the Company rather favour hunting than cultivation? —At the Red River Settlement I think the Company favours cultivation, because unfortunately the buffaloes swarm in the surrounding regions, and the great difficulty is to keep the people to steady habits of industry, and to induce them to refrain from hunting them.

200. Buffaloes, you say, swarm? —Yes, at certain seasons.

201. Upon what do they live? —Upon the herbage of the plains.

202. Where that herbage is, is not the land fertile? —Undoubtedly where that herbage is other things might be grown, as we find at the Red River Settlement itself, until you get to a certain distance to the westward, where I have reason to think but little rain falls; that is one way in which I account for the physical fact of its being a prairie, and there the soil is, as far as my observation goes, not very favourable to cultivation; it is generally along the banks of the river limestone or gravel; there is very little alluvial soil at the surface; there is no depth of alluvial soil anywhere that I saw.

203. You say limestone is there? —Yes.

204. Is it not a remarkable fact, established by all experience, that wherever limestone is, cultivation is possible? —I believe so; it is a most favourable district.

205. You say that the geological condition of the country is primitive? —Not there.

206. But by the Saskatchewan River? —To the eastward of Lake Winnipeg and along the line of descent to Canada on the north side, and northwards again through the line that I travelled, except the Peace River, where we come to the secondary formation, the general character of the region, I should say, without giving myself authority as a geologist, is primitive.

207. Is not that the case with Lower Canada generally? —On the north shore of the St. Lawrence, but not the south; but there you have very little cultivation; the north shore of the St. Lawrence below Quebec is a primitive region.

208. Above Quebec? —I think not; but I speak with deference there.

209. Are you at all aware of a publication, by Mr. Isbester, of the geology of that country? —I have never seen it.

210. While you were there had you occasion to see much of the Indians? —I took a great interest in the Indians, and I took what opportunities were given me of inquiring into their condition, and of seeing them, but my scientific duties left me very little leisure for anything else.

211. What were your scientific duties directed to? —To terrestrial magnetism; making observations of the magnetic dip, and the magnetic variation, and the magnetic force of the earth in that region.



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212. Then if you had not much time to consider the state of the Indians, had you much time to consider the physical condition of the country?—The physical condition of the country meets one's eyes in all directions, whereas the Indians are but rarely met with; and I did not speak their language, and did not always have an interpreter with me, but I used to converse with the residents at the forts.

213. How do you judge of the fertility of a soil which is not cultivated?—By those portions which are cultivated; by the known facts of science affecting cultivation, and by the proportion of alluvial soil visible at the surface.

214. Over that territory did you find large woods?—I have placed before the Chairman a map on which the region of prairie is indicated by a green tint; north and east of that region there are woods.

215. All to the north of Lake Superior is woody country?—Until you get to a very considerable distance north; but I beg to say that the wood in that country, the pine, which is the most prevalent wood, will grow in any crevice in which there is any moisture, and I have seen pines of large size growing on a granite rock as hard as this table, simply by the moisture which was found in the crevices. You cannot infer that that is a soil fitted for agricultural purposes from the fact of there being wood.

216. Not from the fact of there being pine-wood, but if other hard wood grows you may do so?—Yes; those woods having a tap root, but a great number have not.

217. Is not that the mode by which people who explore a country for agricultural purposes determine the capability of the country for agriculture, namely, from the wood upon it; in America, I mean?—It is one of the modes; it is a superficial one.

218. Where you find large quantities of trees of five feet in diameter, and large beech trees, would you not at once say that that is a cultivable soil?—Unquestionably; but there is not a tree of any description five feet in diameter in the Hudson's Bay territory on the east side of the Rocky Mountains; the largest pines, which are the largest trees there, seldom exceed three feet in diameter.

219. Supposing there were trees of three feet in diameter, would you not say the soil was good?—Yes. I have seen that in islands possessing a depth of alluvial soil brought down by floods. The island on which Fort Simpson, on the Mackenzie River, is built, is of that description; and very fine timber is to be found there.

220. You say that you have not seen any evidence that the climate has ameliorated?—I have seen none.

221. Are you at all aware historically of the state of Europe in centuries past?—Yes; I am aware that there is reason to suppose that the climate of Europe in former times, before cultivation was so general, was colder than it is now; the winters were colder. Having given considerable attention to that subject, I may state generally that the result of my inquiries leads me to this conclusion, that the effect of cultivation anywhere in America is to diminish the extremes of temperature both in summer and in winter, but to leave the mean annual temperature not much affected by it. Meteorological observations were commenced at Toronto, in Canada, in 1840. I was myself engaged with them about 11 years; and I of course had experience of a great variety of hot winters and cold winters, and summers also. Since I left it, which was in the year 1853, they have had extremes in both directions that fall far without the limits of my observation; they have had three winters of such severity as I never encountered in all that period, and they have had hotter summers; it therefore shows that conclusions based on data not derived from observations over a long series of years, comparable and accurate ones, are very likely to deceive us.

222. The sensations of a man are very misleading; but supposing, for example, that formerly the territory bore reindeer, and that the rivers of that territory were annually frozen, and that now reindeer will not live there and the rivers are never annually frozen, would you not say from those data that the country had ameliorated in climate?—I should say so, if I was acquainted with no other facts; but I am acquainted with a fact with regard to the habits of the reindeer which

which would render such a conclusion insecure; until the year 1832 the reindeer were in the habit of migrating in enormous numbers along the west shore of Hudson's Bay, passing York Factory to the south; in that year their numbers were greater than usual, and a most extraordinary and wanton slaughter of them took place by the Indians; the Company were unable to restrain them; from that day to this, according to the best of my information, the reindeer have never been seen in that region, although there is no reason to suppose that there is any change in the climate or its capacity for furnishing them with food.

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223. As you say you have paid attention to the state of the climate in Europe, I suppose you are perfectly aware that reindeer used to live upon the banks of the Danube and on the Rhine?—I was not aware of the fact; I had forgotten it if I had ever seen it.

224. That fact is adduced by Gibbon as a proof that the climate has very much ameliorated by time?—Yes.

225. The freezing of rivers, for example, is another evidence; I suppose there is nothing that could contradict that?—I should think not.

226. Taking the same circumstances, namely, that Gaul and Germany were in times past, very shortly after the Christian era, in the same state that Canada is now; having paid attention to the climate of different countries, would you not conclude that the same circumstances occurring in Canada as have occurred in Europe, namely, the clearing of woods, and the draining of morasses, would lead to a great amelioration of the climate?—There are some circumstances which make an essential difference in the two problems. In the first place, the actual soil of Western Europe is deeper, and better suited to the growth of grains of every description than the soil of the Hudson's Bay territory, from my knowledge of it.

227. Is that the case with Prussia?—The district of Prussia, I believe, is generally sandy, but I have not travelled there; I speak of the country in a general way. Then there is this cause ameliorating the climate of Western Europe, which we feel in our own islands particularly, namely, the influence of the Gulf Stream. Our condition is abnormal; but if you refer on the map to the lines of equal temperature, passing through both continents, through America, and through Europe, you will find that the lines descend, that is to say, you will find the line of equal temperature, of 50° we will say, which is the limit of the profitable cultivation of barley, in much lower latitudes in the Hudson's Bay territory than you will in Western Europe.

228. I suppose the southern point of Lake Winnipeg is about the latitude of some of the finest countries in Europe?—I believe it is.

229. Do you know anything of the actual physical condition of the northern shore of Lake Superior?—Merely from having coasted it before the explorations which have subsequently taken place; I mean those connected with mining speculations; therefore I had only ocular inspection from passing along it.

230. You have not travelled on the land there?—No, except for a very few miles.

231. Have you any evidence that there are large morasses there which render it impassable?—Immediately adjoining the shores there cannot be large morasses, because the land rises rapidly; there are two terraces indicating changes of level at former periods, and the land rises rapidly, and in fact the north-west shore is mountainous.

232. There is a lake called Lake Nipigon—Yes.

233. Does not that fall into Lake Superior?—It drains, I believe, into Lake Superior; I never was there.

234. Therefore, may we conclude that it is higher than Lake Superior and the land through which it runs?—Of course.

235. If on the shore of Lake Superior there are not morasses, we may conclude that there are not morasses between those two points?—Hardly that. Morasses are to be met with at the highest points. In fact, it will be found, as a general rule, I believe, that the districts which furnish the sources of rivers are always districts of morass. I could point to three or four instances of that on the map. Probably, Honourable Members can find on their maps the River Savan; the Dog Lake will be found on the map not far above Lake Superior. If you follow the line of boundary between Lake Superior and the Rainy Lake, about midway between the two you come to a very elevated

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district which furnishes the source of rivers falling in both directions into Hudson's Bay, and into Lake Superior and the Atlantic. That region is one of immense physical difficulty in consequence of morasses, and every trader knows the Savannah morass, the Prairie portage, and the great interruptions which he has to pass, with extreme difficulty, in consequence of there being swamps at what is the height of land of that region.

236. Are you aware that there is a scheme now in commencement, rather than anything else, of carrying a railway along the northern shore of Lake Superior, and eventually across the Rocky Mountains to the Pacific Ocean?—I have seen proposals to that effect.

237. Do those plans contemplate any impassable barrier on the northern shore of Lake Superior?—Those plans have always seemed to me to be drawn on the engineering principle of laying down an air line, and then assuming that capital will carry you along it; but the physical difficulties of doing it would be enormously great, and I cannot persuade myself that such an undertaking would be conducted with any commercial advantage.

238. Mr. Grogan.] You spoke of the population on the Red River Settlement not being very large, owing to the difficulty of access. If there were a railway in that direction capable of being constructed, would not that difficulty be obviated?—It would, undoubtedly; but it always appears to me, on studying the map, that the natural affinities of the Red River Settlement are with the valley of the Missouri, and that we shall be going against nature if we try to force it into the valley of the St. Lawrence.

239. You consider that the natural direction is to go into the United States?—I think so; I do not think that the route by the St. Lawrence can ever compete commercially with the route to the south.

240. You have illustrated your local experience for a period of 12 or 14 years; you have said that your general observations in the country were insufficient to enable you to form correct data?—They were insufficient to obtain the fact of the highest or the lowest temperature, or to furnish a mean which was not liable to be disturbed by the observations of another year.

241. Do any records exist at the different stations of the Hudson's Bay Company whereby the increase or decrease of temperature can be ascertained?—I am sorry to say that the records of that region are exceedingly slender; almost valueless in a scientific point of view. Sir John Richardson has collected in his last work of travels the best information he could get, but the data are most scanty.

242. In point of fact, does the impression exist in the country that the climate of that district is ameliorating?—I never heard of it.

243. With regard to limestone, is the district where the limestone prevails of any extent?—The western shore of Lake Winnipeg is entirely limestone, but there is no soil on it; it has literally no soil in many places; it is as bare as your hand.

244. The rock is on the surface?—Yes.

245. The soil does not cover the surface completely?—I did not explore with sufficient accuracy to give an opinion upon those points. I must beg that my observations may be considered as relating principally to the routes that I travelled over. I did not explore the interiors; I went over the great routes of communication only.

246. Are you able to speak of vegetation, whether it exists in detached portions of that district?—I can speak more positively of that, because I made inquiries about it, the subject having engaged my attention. The points where cultivation was more carried on were these: there was the Red River Settlement, where there was very considerable cultivation, and Fort Cumberland, and the Basquiau River, in the Saskatchewan district, and Lake La Crosse; at Fort Cumberland there were about 10 acres of ground under cultivation; at Lake La Crosse, a little to the north of Cumberland House, there were also about 10 acres of ground under cultivation, yielding barley; at Lake Athabasca, where I passed a winter, which is further north again, potatoes of a small size could be grown, but there had been no success in growing barley, or any cereal at all. At Fort Simpson, on Mackenzie's River, where it turns to the northward, just at the angle, on a large island of deep alluvial soil, farming was unusually successful; there were regular crops of barley, regular cattle, and a very good garden. That is in about latitude 62° I think; barley grew there very well indeed.

247. Sir

247. *Sir John Pakington.*] Were you there yourself?—I passed about four months there; barley was even grown with success; that is to say, sufficiently so to be worth the labour bestowed upon it by the trader, and to furnish grain to add greatly to the means of subsistence of the small family occupying a trading post at that station; they were able to pick the very best pieces of ground to be found. Also at Fort Norman, in lat.  $64^{\circ} 31'$ , barley was grown, and that is the most northern spot in America where any grain has been grown. Lieut.-Colonel J. H. Lefroy, R. A.  
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248. *Mr. Grogan.*] Was that the only cereal crop grown in that locality?—Yes; wheat would not grow in either place; but I was told, I am not sure, with what authority, that wheat had been grown about every third year, it being, in the intermediate years, cut off, at Fort Liard, not far to the south of Fort Simpson.

249. Was there any peculiar geological formation in that locality which conduced to the growth of the barley there, so much more northward than at Fort Cumberland?—At Fort Liard it is the tail of the prairies; there is a long high belt of prairie land which runs as far as the immediate neighbourhood of that spot; it is immediately under the shelter of the Rocky Mountains, and the climate is undoubtedly, as you approach the Pacific, much milder than it is to the eastward.

250. What distance would you say that Fort Simpson is from the Pacific or from the sea coast?—I think it is about 500 miles; I am not quite sure.

251. *Mr. Charles Fitzwilliam.*] Do you mean in a direct line, or to some particular point?—In a direct line. I think I made out that it was 500 miles from Sitka, which is the point where observations were made at the time that I was there; and therefore I had occasion to ascertain the distance from one point to another; but I speak from memory, and may not be accurate.

252. *Mr. Grogan.*] Do you consider that the difference of distance from the sea coast of Fort Simpson and Fort Cumberland was sufficient to account for that change?—It is one of the facts which go a long way towards accounting for it.

253. You mentioned that at Fort Simpson they were able to grow cereal crops, which at Fort Cumberland and the Red River Settlement were of so uncertain a nature that they could hardly be relied upon?—I did not intend to say so much as that. At Fort Cumberland and the Red River Settlement they grow wheat, which they do not at Fort Simpson; and with regard to the comparative uncertainty of the crops in the two places, I do not think I said anything. I suppose the crops are much less uncertain at the Red River than they are at Fort Simpson; but the cultivable portion of the soil at the latter place was confined to the island of which I have spoken; on the mainland, on either side, you get into a morass, which could certainly not have been cultivated.

254. Then you imagine that the island is the peculiarity?—Yes; it is due to the depth of alluvial soil upon an island, and to its being pretty well sheltered by large woods, which that soil enables to grow.

255. *Mr. Gordon.*] In traversing the course of the Saskatchewan had you an opportunity of making any observations upon its mineral resources?—Very slight. I ascertained that in the neighbourhood of Edmonton, one of the forts most to the eastward, coal is to be found, and workable coal, because it was used by the blacksmith for his forge; but I do not think in any great quantity.

256. Did you observe over what length of tract of country that coal extended?—It probably extends to a considerable region, because it is found again in one of the feeders of the Peace River, near Dunvegan.

257. You believe those to be portions of the same tract?—There is no doubt of it, I think.

258. Are you acquainted with both branches of the Saskatchewan?—Not the south.

259. *Mr. Roebuck.*] Are you acquainted with the length of the winter at St. Petersburg?—No; I cannot speak with any assurance upon that subject.

260. In the Baltic generally?—No; I cannot speak with any confidence, upon those subjects.

261. Then you are not able to say whether the winter of that territory is shorter or longer than the winter in the Baltic?—I should be glad if you would be kind enough to define what you mean by "the winter;" meteorologists confine the term "winter" to the months of December, January and February.

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262. I am talking of a matter of fact, not of the number of months; I mean when the earth is so frozen that you cannot plough it; can you say that the winter on the Saskatchewan is shorter than the winter at St. Petersburg, or longer, giving you that as a datum?—I cannot answer that question.

263. If it is not longer, and St. Petersburg is habitable, and covered with a vast population, this territory might be covered also?—St. Petersburg has a seaport to supply it, and it has productions of various kinds which have a commercial value; this region not only has no seaport, but it is about 700 or 800 miles from one, to be reached by a very difficult navigation, leading not into the Baltic, which has its outlet to the south, but into Hudson's Bay, which has its outlet to the north, and which is only navigable for about three months in the year; those are essential differences in both the physical and commercial conditions of the two regions.

264. Is the Baltic at St. Petersburg navigable for more than three months in the year?—I apprehend that it is navigable for seven or eight months; I speak under correction.

265. Sir John Pakington.] You mentioned the difference in climate on the western side of this great district as it approaches the Pacific; can you give the Committee any idea of the extent of that difference, either the extent geographically to which it prevails, or the degree to which it prevails?—I should be unwilling to speak from memory upon such a subject, because it is one which must be brought to figures; I could easily ascertain the facts as far as data exist for doing so, but I would not venture to speak from memory.

266. Is the difference a marked and decided one?—Unquestionably so; it meets you everywhere in America, that the further you go to the westward along the same parallel of latitude, you come to a milder climate.

267. Mr. Roebuck.] Is that the case on the east of the Rocky Mountains?—It is so in the southern latitudes.

268. Sir John Pakington.] To what cause do you attribute the difference in climate?—It is difficult to give an answer to that question directly. The prevalent winds in the region beyond the tropics have a great influence upon the climate of the countries which they pass over. You find that the prevalent winds in the extra tropical region being from the westward, those winds bring from the Pacific Ocean a large quantity of moisture, which moisture has a tendency to ameliorate the climate of the regions which receive its first benefit. As they proceed further to the eastward they lose a portion of that moisture, and pass over regions, frozen or covered with snow through a large part of the year; they come down to Canada more severe, of course, and charged with less moisture, and actually colder by having given up latent heat to the regions they have passed over, than nearer to the west.

269. What are the prevailing winds on the eastern side of this part of America?—I should be glad to reserve my answer to that question because I should wish to speak with accuracy. The prevailing winds, on the whole, are westerly; they are rather from the western semicircle than from the eastern. I believe they are north-westerly.

270. How far to the westward have you penetrated?—Nearly as far as the Rocky Mountains, but not over them. My limits westward were Dunvegan, on the Peace River, and Edmonton on the Saskatchewan.

271. Do you attribute the power of producing barley so far north as Fort Simpson to that comparative neighbourhood to the Pacific to which you have referred?—In a very great degree I do.

272. Can you state what is the general difference in climate between Fort Simpson and these other settlements in the neighbourhood of Lake Winnipeg?—The difference of mean summer temperature between those two regions I believe to be but little; but I am reluctant to speak with precision upon these points, because if they have value at all, it is as scientific facts, and I confess that I am not sufficiently armed with them at this moment, to be able to be positive.

273. Fort Simpson has, of course, a much severer climate, I presume?—Very much severer, taking the year round.

274. You spoke in the early part of your examination of the district which you were then speaking as being permanently frozen, so that the crops could not be grown; to what part of this district did you apply that expression, of "permanently

"permanently frozen"?—I am unable to state very extensive facts upon that subject; the soil at York Factory, on Hudson's Bay, is permanently frozen.

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275. Mr. Roebuck.] How far north is that?—It is about 57 degrees, I think, not so far north as Fort Simpson; the soil there does not thaw in the summer more than about three feet deep, and it is frozen to about 20 feet permanently.

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276. Sir John Pakington.] I apprehend that you did not mean to apply that expression, "permanently frozen" in the sense in which I think you used it, namely, as applying generally to this district, but only to particular parts?—Of course; it is a very large region; the district is as large as Europe, and has great differences of climate.

277. You applied the term generally. I presume there is nothing to which you could apply the term "permanently frozen" in the nature of the climate about the Red River Settlement, or even at Fort Cumberland Station?—Fort Cumberland, I believe, is near the limit of the region where the ground is permanently frozen; more accurately speaking, I think Lake La Crosse is about that limit.

278. There is cultivation at Fort Cumberland, is there not?—I do not mean to say there is not cultivation where the ground is permanently frozen; at the most northerly point I have spoken to, namely, Fort Norman, on Mackenzie's River, the ground is permanently frozen to the depth of 45 feet, yet there is cultivation.

279. What do you mean by "permanently frozen"?—I mean that it never thaws except at the surface. I had a remarkable opportunity of ascertaining that fact by a great landslip on the banks of the Mackenzie River, exposing a completely permanent frozen soil to the depth of 45 feet. The surface thaws to the extent of a foot or two. In the more open situations, it thaws of course to a greater depth.

280. Under those circumstances, with a depth of permanently frozen ground of many feet, and only thawed very superficially, does the ground admit of cultivation?—Not, I think, with any profit; indeed, a white population accustomed to civilised life cannot find subsistence.

281. The ripening of the crops under those circumstances must be precarious?—Yes. There is a difference between absolute cultivation yielding small returns for the support, or the assistance of other means of support, of a very small community, such as is to be found at all these forts, and one on which a large community can permanently depend. All over that country, although they have a crop in many places, they depend principally upon fish, and the dried meat of the buffalo.

282. What is the population of the Red River Settlement?—In 1843 or 1844, it was about 5,000, according to the information given me.

283. What population is there at the northern settlement of Fort Cumberland, or Norway House?—It does not in any one instance, I imagine, amount to 20 persons permanently resident. At some seasons of the year there are others coming and going, and the Indians occasionally frequent them. Not, of course, including the Indians inhabiting the districts supplying those stations with their furs; but taking the residents, you will find 10, 20, or 30, according to the means of subsistence.

284. Are there any European inhabitants in the district between the Red River and Cumberland Fort and Norway House?—None, but the traders in the Hudson's Bay Company's employment.

285. Is Lake Winnipeg open for navigation for any length of time in the summer?—Not for long; I should suppose that Lake Winnipeg is open for navigation from May till about the end of October.

286. The whole lake would then be open?—Yes.

287. Mr. Roebuck.] Do you know how long the St. Lawrence is open at Quebec?—It varies extremely in different seasons; but the St. Lawrence at Quebec is generally open early in April.

288. I beg your pardon?—In April.

289. Not till May. Do you not know that after the month of November begins, the insurance upon ships doubles?—I am quite aware of that; but I am equally aware that the last vessels leave Quebec very late in November, and I have known them leave in December.

290. You say that you attribute the possibility of growing barley at Fort Simpson to its proximity to the Pacific?—I attribute it in a great degree to that fact.

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291. Does not Fort Simpson lie very near the Rocky Mountains, to the east of the Rocky Mountains?—Yes.

292. Do not the Rocky Mountains continue frozen throughout the year upon their summits?—The Rocky Mountains there are very much lower than they are in lower latitudes. I have seen snow over the whole region of the Rocky Mountains within view in June; therefore, I presume that they are covered with snow almost all the year round.

293. The proximity of Fort Simpson to the Rocky Mountains would lead to the chilling of the atmosphere, would it not?—It depends a little upon the distance; the actual distance is rather considerable. The Rocky Mountains approach the Mackenzie's River at a much lower latitude; at the limit of the Arctic region the chain comes nearest, but at Fort Simpson it recedes to some distance. I have in many instances observed that a sudden change of the wind from the eastward to the westward would almost immediately raise the temperature of the air ten degrees at Fort Simpson.

294. South-west?—Yes, south-west.

295. Sir John Pakington.] Has the altitude of the Rocky Mountains in the British dominions ever been ascertained?—No; the altitude of the great passes between the Saskatchewan and the Columbia has been ascertained with tolerable precision, but not further to the north.

296. What is it there?—I do not like to speak from memory.

297. Mr. Edward Ellice.] On ordinary maps the highest range is marked at about 15,000 or 16,000 feet, is it not?—But the pass is much lower than that.

298. Mr. Grogan.] You spoke of the barley, for instance, having been ripened at Fort Simpson; do you attribute that to any greater quantity of rain that may fall there than down at Fort Cumberland?—No.

299. Mr. Lowe.] Have you had occasion to observe the effect of summer frosts in these territories upon crops?—No, not personally; but I have made inquiries concerning them.

300. Will you state what is the fact in that respect?—Summer frosts come at night in all months of the year, frequently with very great severity, and the ground will be frozen in June; of course that cuts off all delicate cultivation.

301. Does that interfere with the certainty of crops at the Red River?—I believe very much.

302. And of course further north?—Further north still more so.

303. Have you observed the Indians on the Saskatchewan River?—Yes.

304. What is the nature of the Indians there; are they very fierce?—Some of the tribes on the Upper Saskatchewan are very warlike and untameable.

305. What are they principally; the Blackfeet?—The Blackfeet; there are five or six tribes which go under the general name of Blackfeet; the Crees, who inhabit the lower portion of the region, seem to have less savage tendencies.

306. Is it safe to travel there, one or two people together?—Under the protection of the Hudson's Bay Company it could be done with perfect safety.

307. Do you think that a railway could be made with facility, from any point in Minnesota, to the Red River?—Yes.

308. From what place?—I think almost anywhere.

309. From St. Paul's?—Yes; I should think it might.

310. Mr. Percy Herbert.] You spoke of the district between the Rainy Lake and the Lake of the Woods, as being not much inferior to Lower Canada; is that district of which you spoke of considerable extent?—I do not think it is of great extent, but it must be to the extent of several townships, as they are laid out in Canada.

311. Would the district between that and Lake Superior admit of a communication with Lake Superior?—It would admit of a communication by going to a very great expense; the distance is not very great, but you have to pass over a region of swamp and morass, and a river which is not navigable; there is a line of detached lakes, communicating by streams and rivers, which are not navigable.

312. Mr. Gregson.] Upon the whole, what inducements are there to attract emigration to these regions?—I do not myself think that emigration can be judiciously



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Judiciously directed to those regions. Undoubtedly there are the attractions of a wild, romantic mode of life. There is an abundance of the necessities of life at the Red River Settlement, but there is no trade, or next to none, because its interior position and its want of communication with the ocean add so much to the freight upon all articles that they cannot be exported at a profit. But persons who will be content with sufficient for the passing hour, and who have a turn for wild semi-civilised life, will enjoy themselves there very much.

313. *Chairman.*] It is a pretty healthy country, is it not?—Very healthy.

314. During your residence in that country had you any opportunities of forming an opinion of the general character of the government of the Hudson's Bay Company, so far as relates to their conduct towards the Indians and their mode of preserving the peace of the country?—The best preservative for the peace of the country was taken by the Hudson's Bay Company about the year 1832, when they entirely discontinued sending spirits into it, or, I believe, not entirely, but almost entirely. Since that time blood feuds and quarrels among the Indians have diminished very much indeed. The white population is so very small that there is very little crime, necessarily. What crime does occur there, is, I believe, treated at the Red River Settlement by a recorder, the law officer there, and he told me that the gaol was generally empty. I believe there is very little crime there.

315. Is there security of travelling there?—Perfect security, except at the head of the Saskatchewan, and among the warlike tribes, who are sometimes no respecters of persons, and who will pillage their best friends.

316. *Mr. Charles Fitzwilliam.*] What do you call the warlike tribes?—The Blackfeet, mostly.

317. *Mr. Edward Ellice.*] Those which are nearest the frontiers?—Yes.

318. *Chairman.*] Do you apprehend that there has been a very effectual check to the use of ardent spirits among the Indians, by the measures taken by the Hudson's Bay Company?—I am confident that there has, over the whole region except the Saskatchewan, where the necessity of meeting the Americans in some degree with their own weapons had obliged a very limited use of spirits; but the rule, if I am not misinformed, was, that for one gallon of rum they put seven gallons of water; the spirit issued was so much diluted that it had not much effect.

319. *Mr. Charles Fitzwilliam.*] Is it not true that Americans trading in liquor are subject to a very severe fine?—I believe there is that law in the United States, but it is evaded constantly.

320. Have you not heard of a trader being sent down in chains from the post to the United States?—No; I know that Americans do trade largely in liquor on the Missouri.

321. *Mr. Roebuck.*] You know nothing, you say, of Minesota?—Not personally.

322. I suppose you know from its position on the map, that there are no further means for going to Minesota than to Lake Winnepeg?—Minesota has a dense, industrious, enterprising population to the south and east of it, constantly pressing in that direction, but the Hudson's Bay territory is not quite in that condition; you come down to the lower parts of the Missouri, where you get into a comparatively dense population.

323. Iowa comes between?—I include all that. There is no physical reason why the people there should not press onwards; and they are perpetually pressing onwards into Minesota.

324. Is there any physical reason why they should not press across the border, and come from Minesota to Lake Winnipeg?—None at all. They do not do so from the United States, which fact I think shows that the inducements are not very great.

325. Would not the fact of its being British territory be a reason why they should not come across the border?—I do not think that that would have any influence; if they found it advantageous I think they would do it.

326. *Sir John Pakington.*] Is the Indian population supposed to be decreasing in those regions?—I fear there is no doubt that it is decreasing very rapidly.

327. From natural causes, not from the effect of European encroachment?—I apprehend that European encroachment has had a great deal to do with it, but



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but it has been rather more from moral influences than from any direct physical influences. I do not think, for example, that the traffic in liquor has been chargeable with it, which undoubtedly has been chargeable with it in other countries, or more to the south.

328. *Chairman.*] When you say that the Indians have diminished, are you speaking of the Hudson's Bay territory, as a whole, or are you referring to particular districts only; are you prepared to say that you believe that the number of Indians within the limits of the Hudson's Bay territory, taken as a whole, has diminished?—When I was able to compare the estimate of the number, which I procured in 1844, with Sir John Franklin's of about 20 years previously, I found a diminution of number; and the aggregate number which I was able to establish by the best statistics that I could get was so very small that I cannot but believe they must have been more numerous, from the accounts which we read of a century ago.

329. Did their physical condition appear to you to be bad?—Miserable in many cases.

330. *Mr. Roebuck.*] Is it not a known fact that the brown race disappears in proportion to the coming on of the white race?—I think it is.

331. And the mere fact of a settlement, even at the Red River, would of itself tend to diminish the red population?—It would undoubtedly lead in that direction; but the Red River Settlement is peculiarly situated; the Indians in that part of the country are not diminishing so fast, because the buffalo is not decreasing, which is their great means of subsistence. As I mentioned before, the buffalo swarms to the south of the Saskatchewan, and even to the north of it; the Indians there are the finest, and I do not think they are diminishing so much as elsewhere.

332. *Chairman.*] Did you think that the physical condition of the Indian was worse as you got to the north?—Unquestionably, and also worse to the south; the physical condition of the Indians about the Lake of the Woods and the Rainy Lake is very much worse, and all round Lake Superior, within our own region, than it is on the Saskatchewan, because the resources of subsistence are so much less; the Indians there are again and again in the most abject misery by the failure of the precarious means of subsistence which they have.

333. Had you any opportunity of seeing the condition of the Indians within the Canadian territory?—I have seen a good many of them from time to time.

334. What is their condition?—They are comparatively comfortable; if not, it is their own fault.

335. They have property?—Yes.

336. Even money in the funds?—Some of them have.

337. *Sir John Pakington.*] Looking to this vast district between Canada and the Pacific, there is a great portion of it, I apprehend, in which the white race can hardly be said to be advancing as yet?—Yes.

338. And over a great portion of that tract I presume there is no reason to suppose that the Indian population is deteriorating or diminishing?—It is so, I think, from causes which may appear rather remote. I believe there is a constant depressing moral influence, which is caused by association with classes in a superior condition of comfort to themselves; then they become reckless and improvident; they barter what is necessary to their own subsistence, or to that of their wives and children, which is equally important, for finery, things which are of no real good to them, their good furs, which they had better wear themselves, they trade away for beads, and they go half clothed, and they contract pulmonary complaints, and their children are born with weakened constitutions, and their families are diminished in number; the result is, that it is hard to find an Indian family of more than three or four children. I remember an instance of one man who, I think, had nine children, who was quite a phenomenon of paternity.

339. But surely your last answer applies to those cases in which the Indian has been brought into contact with the European?—They are all brought into contact with the Europeans by constantly trading with them and depending upon the European trade for their means of subsistence.

340. Is that answer correct as affects the whole of the great district to which I have referred?—With the exception of a very small district to the north, on what are called the barren grounds, where there are bands of Chipewyan Indians subsisting on the flesh of the reindeer, and where the skin of the reindeer is their

their clothing, who rarely come to any forts for trade, because their country has nothing valuable.

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341. Do all the tribes between Canada and the Pacific occasionally visit the forts for trade and communication?—I can only speak of the west side from hearsay; the Indians there have a great resource in the salmon, which abounds, and, I believe, do not all come to the forts; on the east they all come to the forts.

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342. Mr. Gurney.] With reference to the river between the Lake of the Woods and the Rainy Lake, does the river at that part form the boundary between the United States territory and the British territory?—I think it does; the boundary starts at the parallel of forty-nine degrees, I think, to the northward of that river.

343. Then one bank of the river is American and the other bank British?—Yes.

344. Is there any marked difference as to the degree of settlement on the two banks?—There is none on either.

345. Although both are sufficiently fertile to allow of some settlement there?—I think there might be some settlement there.

346. Mr. Bell.] Are you aware of any settlement in the Hudson's Bay territory besides the Red River where any attempt has been made to civilize the Indians?—Such an attempt was made near Norway House, at the head of Lake Winnipeg, where there was a village of Cree Indians in a tolerable state of civilization when I visited it.

347. Do you think they were diminishing or increasing?—The experiment had been so recently tried that I think it was impossible to say.

348. That is the only case you know of?—That is the only case I know, of an attempt to collect the Indians and to settle them in a village. Since that time a small settlement has been formed at the Pas, at the Basquiau River. It was occasioned by the bequest of a private benevolent person, who left a sum of money to be laid out for that purpose, and it has been so done.

349. You have visited most of the establishments of the Hudson's Bay Company?—Yes.

350. And that is the only instance?—That is the only one that I can think of at this moment.

351. Mr. Roebuck.] Speaking generally, have not all attempts to civilize the Indians in North America failed?—They die out in the process; some progress has been made.

352. They disappear?—Yes.

353. Mr. Adderley.] You stated the population of the Red River Settlement at 5,000?—Yes.

354. What time were you speaking of?—Of 1843 and 1844.

355. Do you know at all what the population now is?—I do not.

356. In your opinion, how have the Company generally treated the Indians?—It is necessary, in answering that question, to draw a distinction between the Company in its corporate capacity as a body of non-resident shareholders, and the Company as a body of resident traders, its servants. The traders, almost without exception, as far as my observation went, treated the Indians with signal kindness and humanity. Many instances of their relieving them in their distress, and taking great pains to do so, came to my knowledge. But then their means of doing so are in some degree contingent upon the financial arrangements of the Company at large, over which they have no control, or but little.

357. Drawing that distinction, what do you think is the effect upon the Indians of such arrangements made by the absentee proprietors?—I think the Indians sometimes suffer, because I think that the supplies of goods sent by the Company are sometimes inadequate. The traders can only do the best with the goods which they have; they have nothing to do with what are sent in.

358. Is the want of supplies the only arrangement which you think defective?—The principal one.

359. Chairman.] What is the general character of the agents of the Hudson's Bay Company; as far as you could observe, were they respectable men?—Very generally so; I never mingled with a body of men whose general qualities seemed to me more entitled to respect. They are men of simple

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primitive habits, leading the most hardy lives; generally speaking, contented, doing their duty faithfully to their employers, and in many instances taking sincere interest in the welfare of the Indians around them, and doing all they can to benefit them, but the Indian is a very difficult subject.

360. You think, upon the whole, that their conduct was that of men who were doing their duty, and acting in a considerate manner towards the Indians?—I think so, most eminently.

361. Mr. Charles Fitzwilliam.] You say that the buffalo exists over this territory on the bank; can domestic cattle live there also?—The buffalo exists over it; there are domestic cattle at most of the forts now; a cow or two; even low down on the Mackenzie's River they have domestic cattle. I was a fellow-passenger with a bull in a small boat on that river.

362. They can exist in the winter?—They have to be housed; but horses exhibit extraordinary hardihood there; the horses I have known to pass the winter in the open air at Edmonton, subsisting themselves by what herbage they could find under the snow.

363. The buffaloes are generally fatter in winter than in summer, are they not?—I believe so.

364. As spring comes, the cows, which are the fattest, I believe, immediately waste almost to skeletons?—I cannot speak with much authority upon that point, but the annoyance of flies in summer is so great, that I know it frets the animals almost to death, and they lose flesh very much.

John Rae, Esq., M.D., called in; and Examined.

J. Rae, Esq., M.D.

365. Chairman.] I BELIEVE you are very conversant with the territory now in the occupation and management of the Hudson's Bay Company?—With the large portion east of the Rocky Mountains. I have never been across to the west.

366. Will you have the goodness to state under what circumstances you have become acquainted with that country?—I entered the service of the Company in 1833, and was stationed at Moose Factory, in latitude 51°, on Hudson's Bay, as medical man, 10 years; during that time I saw a good deal of the natives of that part of the country. After that, for the last eight or 10 years, I was employed in arctic service, and spent some short time in Mackenzie's River. I then, in a winter journey, passed from Mackenzie's River by the usual route to the Red River; and down to St. Paul's across the frontier through the States. Those are the only two districts in the country that I have been engaged in; at Moose Factory ten years, in the Mackenzie River one year, and at York Factory for one season; all the rest of the time I have been employed in arctic service.

367. How long have you been employed in arctic service?—Eight years altogether; eight summers and four winters.

368. Speaking generally, what is your opinion of the capacity of this territory for the purposes of settlement and cultivation?—I have never been in Saskatchewan, but I know the character of the country from others; it is all capable of cultivation I believe. The difficulty is the same as Colonel Lefroy mentioned, the difficulty of carrying out the produce by Hudson's Bay, or by communication by the States, because in the States of course there is the same sort of produce nearer at hand, and of course the expense of carrying this produce from the Saskatchewan to market would do away with any profits that could be derived from it.

369. But you believe that, as far as soil and climate are concerned, there is in that part of the Hudson's Bay territory a considerable district of country suitable for cultivation and for settlement?—Quite so; it will be capable of production as soon as the country grows up to it; the country must grow up to it, the same as it does in the States. I passed through the States from the Red River, and the country has gradually been settled up; there was still about 400 miles of quite uncultivated country lying between Pembina and the farthest part settled by the Americans, when I passed down in 1852.

370. As far as you can form a conjecture, supposing that country was entirely open for purposes of settlement, do you think that there would be a disposition on the part of emigrants to go there?—Never, until the country is settled up near to it from the States, because as soon as settlers attempted to settle there the

the Indians would attack them; it is a buffalo-hunting country. The greater portion of the Indians are warlike in that part; I should believe that that would be the consequence; I only speak from supposition, because I have never been in the Saskatchewan; but I know that the habits of the Indians are rather warlike.

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371. Your opinion seems to be, that if there was nothing to prevent it, settlement in that district of the country would not be immediate, but would be gradual, and would be certain?—Quite so; when the country gradually settles up to it; the produce cannot be carried out to Hudson's Bay, the difficulty of road is so great; that is my impression.

372. You have stated that you were in the service of the Hudson's Bay Company?—For 23 years.

373. Are you still in their service?—No; I left their service last year.

374. You are now quite independent of them?—Yes.

375. What is your opinion of the system pursued by that Company, so far as relates to the Indian population?—The system pursued is as fair, I think, towards the Indian as possible; the Company's tariff with the Indians is one of the principal things I wish to mention; the tariff is formed in a peculiar way, and necessarily so; the sums given for furs do not coincide with the value of the furs traded for with them, because the musk-rat, or the less valuable furs, are paid for at a higher rate; were the Company to pay for the finer furs at the same rate, the Indians would hunt up the finer furs and destroy them off, as has been done all along the frontier, and we should then require to reduce the price for the musk-rat and the inferior furs, and the Indians would not hunt them at all; the Indians would never understand our varying the prices of the furs according to the prices here; the consequence would be that the Indian would not be a bit better off, and he would kill up all the finer animals and leave the musk-rat and ordinary furs unaffected.

376. You have stated that, in your opinion there is a portion of the territory now belonging to the Hudson's Bay Company to the south, which may be at no distant period available for the purposes of settlement; what is your opinion, in that respect, with regard to that vast district of country which lies to the north of the region which you have referred to?—As far as I can answer, we could not grow wheat. At Moose Factory, in latitude 51°, barley would not ripen; you could not depend upon it. Potatoes were very variable; sometimes they would give five or six fold; that was the highest I saw, I think, during 10 years; sometimes the crop yielded scarcely the seed.

377. Do you believe that, under any circumstances, there would be the slightest probability of settlement taking place in that great district of country within the next 20 years, for instance?—I think decidedly not; it must be pushed up from the south; I mean, not to pay; people might settle. No person would go there to settle unless he was paid for it, and paid well. I apply my answer to the wooded country.

378. You think there would be no inducement for persons to go there except for the purposes of fur trading?—Only that; and then they would require to have the exclusive right to trade; any opposition would do away with any profits or advantages from it to a great extent.

379. What, in your opinion, would be the consequences of throwing open the present exclusive system of fur trading to the public generally, and letting anybody who chose go and trade for furs there, and kill the fur-bearing animals?—The effect would be, the introduction of spirits among the Indians again, and the demoralization of the Indians.

380. Do you think that the effect would be the extirpation of the fur-bearing animal?—In a great measure; it would lead to that, because trappers would be sent in. People would come up and kill the animals themselves instead of leaving the Indians to hunt over the grounds; they would kill them at all seasons, whereas the Hudson's Bay Company discourage the killing them in the summer time; they discourage the Indians from killing them in the breeding season.

381. Do you consider the fur trade in its very nature to be necessarily and essentially a monopoly?—I think that to continue it regularly it requires to be a monopoly in some hands something similar to what it is now.

382. Would not the effect of throwing it open be that it would give a great stimulus to it for the next few years, and absolutely destroy it afterwards?—

*J. Rae, Esq., M.D.* Yes, and when the fur-bearing animals were hunted up, the country would be left a wreck.

23 February 1857. 383. What would be the effect of such a process upon the Indian tribes?—Most injurious, I should fancy.

384. You say because spirits would be introduced?—That would be a great injury. They would get much better paid for their furs for a time, but the effect after, say eight, or 10, or 12 years, or I will not say what number of years; but after a lapse of years, not a very long period, would be to demoralize the Indians; they would kill up the principal finer furs, and it would do no good to any person, because the parties coming in, if there was opposition, could not make a profit.

385. Do you think that it would be possible to provide, by some arrangement with the Hudson's Bay Company, for the retention of the fur trade in their hands in those regions which are fit for nothing but the fur trade, and can be only fit for the fur trade for some time to come, and at the same time to open up, for the purposes of colonization, all such parts of the country as it is at all reasonable to suppose within the next 20 years, for instance, could be settled and colonized?—I should be rather at a loss to give an opinion upon that subject, as I have not studied the circumstances; it would be very difficult to make the arrangement; it would be an excellent one, I believe, if it could be effected.

386. You think that if it could be done it would be a desirable arrangement to make?—A very desirable one indeed.

387. Why do you think that it could not be done?—I do not say that it could not be done, but it would be difficult; I could not give a reason why it should not be done. I have not studied the subject.

388. I believe the Russians have a fur trading establishment on the extreme north-west point of North America?—Yes; it comes in contact with Mackenzie's River, the district of which I was in charge for one season.

389. Are you aware of any arrangement which the Russian Company have made with the Hudson's Bay Company, by which the most valuable portion of their fur-trading territory is leased to the Hudson's Bay Company on certain conditions?—There was an arrangement of that sort some years ago; I cannot say whether it is still in force; it was a lease not of the whole, but of the strip of land which you will see in the charts running along the shore.

390. Do you know what were the motives of the Russian Company for coming to that arrangement?—I do not.

391. *Mr. Charles Fitzwilliam.*] You say that you were in charge of the district on Mackenzie's River; can you state to the Committee the climate and the capabilities of the land there?—The climate is a severe one; but we grew barley at Fort Simpson, in latitude 62° or 63°, I think; we grew barley at Fort Liard; we grew barley at the Yukon, which is close to the Russian territory; that is a post which was established some time ago; we could grow wheat at no place in the district; barley is grown at all the posts except three, Fort Norman, Peel's River, and Fort Goodhope, which are far down the river.

392. *Mr. Adderley.*] In what year were you on Mackenzie's River?—In 1849–50.

393. Have you been at long intervals of time on the same spot?—I have been four years there at different times; I was two years wintered there in the expedition, but I was only one year in charge of the district.

394. Did you see anything of the Red River settlement at long intervals of time?—No; I was only there part of a winter on two occasions, and once in spring.

395. You cannot speak to any alteration of climate in spots which have been settled?—No, I cannot; but I can say with regard to the tract of country of which we are speaking, namely, the woody country, that there is an influence against its being affected by clearance, which does not exist in other parts of the world. There is the large Hudson's Bay opening up to the north, where there is a continual flow of ice during the whole summer; it is frozen up seven or eight months in the winter, and in the summer season there is a constant influx of ice which keeps the climate colder than it otherwise would be for perhaps 100 or 200 miles inland in all directions; that is an influence which does not exist elsewhere, and which would affect the climate, I think.

396. *Mr. Charles Fitzwilliam.*] While you were at Mackenzie's River, you, I dare

dare say, visited Banks' or Baring Island?—I visited Wollaston and Victoria Lands, I surveyed all the southern coasts there. J. Rae, Esq., M.D.

397. You were not on Banks' Island?—No. I was not so far north.

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398. Then you cannot speak to the natural productions of that land?—No; there is nothing to be found on the neighbouring lands, the Wollaston and Victoria Lands, except limestone; a little trap and sandstone rock are seen.

399. I thought that coal was to be found on Banks' Island?—They have found that there, but on the land that I was over there is no symptom of coal; the whole coast is bare limestone.

400. Is it a coal or an ignite?—I am not quite sure. I have seen none of the specimens. I think it is a coal; there are no great quantities of it found.

401. Are animals found on it?—Yes; rein deer and musk ox.

402. Does the musk ox require a very cold climate?—Generally; it is seldom seen south of the Arctic Circle.

403. Mr. Lowe.] You heard Colonel Lefroy express some doubt whether the Company did all they could for the Indians in the matter of goods being sent out; what do you think on that subject?—I have never met with that myself.

404. What do you understand by it?—What Colonel Lefroy, I think, alluded to, was the deficiency of ammunition for a year or two at the Athabasca and the Mackenzie Rivers.

405. Ammunition to be supplied to the Indians?—Yes; I have heard a different reason for that, from that given by Colonel Lefroy. The gentleman in charge of those districts appeared to be very close and anxious to make a very large traffic at a very little expense; and goods were actually forced upon him from the depot at York Factory; I have authority for saying so; and more goods were actually sent up than the gentleman asked on his requisition.

406. Was that the only defect?—That was the principal one.

407. Do you think that it would be a good plan if the Company were to furnish goods in great abundance, and with great facility to the Indians?—Clearly, and they do so generally; it is their object both to clothe the Indians well and to give them plenty of ammunition, because the better they are fed, and the better they are clothed, the better they will hunt.

408. Do you give them those things, or do they trade for them?—They get them in advance; they get their goods all upon credit; not to keep them under subjection to the Company; but the Indian is so improvident that if he were paid in the spring he would waste everything before winter. Several attempts have been made to do it, and their debts have been cancelled to them; but it could never be done except at two or three of the forts, where we gave them employment in the summer, when they sometimes earned from 12 l. to 25 l. worth of goods in a season.

409. Mr. Charles Fitzwilliam.] Does that mean 25 l. worth of goods at the price of the country, or in the market in London?—At fifty per cent. on the prime cost here, which we put on for charges of freight, loss, damage, and loss of interest. Let me add, to show that this per-centage is not exorbitant, that our servants buy goods, and take them up from the Bay to the United States, at St. Mary's, and sell their clothes to the Americans, a profit being thus made.

410. Lord Stanley.] You say that 50 per cent. upon the prime cost in England is the rent-charge to the Indians?—That is the tariff to the servants; and in supplying the Indians at that price the Indians can gain by their labour at that rate, goods to the value of 12 l. to 25 l. in the summer season.

411. Are the prices of goods sold to the Indians uniform throughout the district, or is there any increase consequent upon the greater distance in the case, for instance, of forts upon the Mackenzie?—The tariff is increased there; it is higher; but to show that it is not exorbitant, compared with other traders, we sell our goods at Mackenzie's River, at Fort Simpson, upwards of 100 per cent. cheaper than they are sold in the Russian settlements over in the Russian territory, and the Hudson's Bay Company's goods have much further to go.

412. Do you know whether the Russian Company has any monopoly or not?—It is a government thing; of course it is a monopoly.

413. Then you are merely comparing one monopoly with another monopoly?—Yes; at Fort Simpson we have no opposition, and we sell the goods at that rate.

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414. Is it not a fact that in those parts of the territory which border upon Canada and the United States there has been a good deal of trouble with interlopers?—Yes; and there higher prices are given for the furs, consequently all the finer furs have been killed up; the opposition does not pay; there are no profits.

415. In those districts has not the Company, on various occasions, paid large sums to traders to take themselves out of the country?—Never that I heard of. I have heard of the Company buying their furs, and taking the traders into the service frequently, which I think a very bad plan.

416. Buying off their opposition?—I never knew anything of that kind, but I think it a bad plan to buy up their furs at any time, if they are admitted into the service and make a little money, they use it against the company afterwards; they frequently have done so.

417. Mr. Bell.] Do you think that the settlement of the Indians is advantageous or disadvantageous to the fur trade?—I should think it is not disadvantageous, because the winter is the time at which they hunt; consequently they can employ the whole summer season to cultivate the ground, and it would make them better off; I believe that the settlement of Indians at Norway House hunt as well as they did before.

418. Do you know why attempts have not been made to settle them at other forts?—There have been attempts, that is to say, it was attempted at Moose Factory when I was there.

419. Which Moose Factory do you mean?—The one at James's Bay; I have known seed potatoes given, which is the only crop that can be grown there with certainty; tools have been given, and ground that had been cultivated, and food for a few days; they would plant their potatoes and never come back to attend to them; I have known that done two seasons while I was at the Moose Factory.

420. Have the missionaries who have been anxious to civilise them been encouraged to do so?—They have, wherever it is practicable, but I cannot speak of other parts of the country except at Moose, where the climate is not very suitable for growing.

421. Mr. Grogan.] You stated that at Moose Factory an attempt had been made to settle the Indians by giving them seed and ground for potatoes?—Yes.

422. Were the Indians that you referred to the ordinary residents of that place?—Yes; they came in to trade, to barter there.

423. Did they return to the factory after they had sown the potatoes?—They returned frequently, and they left them to get destroyed; they never looked at them again; they never thought it worth while to dig them out or hoe them out.

424. Did they know the potato practically?—Perfectly well; they used to be supplied at the forts with potatoes when they came in, and they knew the use of them.

425. Mr. Bell.] Then do you attribute that circumstance to the particular character of those Indians, because I have read that on the western side of the Rocky Mountains the Indians sow potatoes in large quantities for their subsistence?—Yes; they are a different race; we have found that although the Indian works well in the Company's service he will not settle down generally; there are many exceptions. I cannot speak of the west side of the mountains; I know from hearsay that what you have stated is correct.

426. Do you know what is the cause of the failure of the experiment in the place to which you allude, for it has answered in some places; at the Red River Settlement, for instance, and Norway House, if not in other parts?—It has not answered fully in either place; they never become great farmers, and I believe it arises from a fondness for the chase; they object to settle down anywhere for a length of time.

427. Have the half-breeds the same objection to settle down as the pure Indians?—The French half-breeds have, but the English half-breeds have not so much so.

428. Is there much union of the English and the Indian races going on?—There is; it arose from the Company's servants and people marrying Indian women; there is not so much of it now as there was originally, because many of the half-breeds are growing up, and they intermarry with them instead.

429. Have

429. Have you heard the statement, that south of the Saskatchewan River the English blood is so mixed up that there are no perfectly pure Indians there?—I think it is incorrect; south of the Saskatchewan the Indians are most free from cross of any kind. I understand that they are less crossed than any other with white blood from all that I have heard; I cannot speak from my own knowledge. J. Rae, Esq., M.D. 23 February 1857.

430. How far north have you travelled on the Mackenzie River?—I have been down to the mouth; I went down to the mouth with Sir John Richardson in 1848.

431. Have you been westward along the coast?—Never westward.

432. You do not know what facility there is for ships sailing round to the mouth of the Mackenzie?—The only cases of their having come round were those of Captain McClure and Captain Collinson; they passed there.

433. That arises from the great obstruction?—Yes, from the ice; those were the only two instances where they managed to get through.

434. Mr. Roebuck.] How far north have you ever been in Scotland?—To the Orkneys and Shetland.

435. Comparing the climate of the Orkneys with the climate at York on Hudson's Bay, where was the great difference?—The difference was, that the summer was much as our summer in Orkney is; but the winter, of course, extended over seven to eight months, when there was no navigation. The winter sets in in the beginning of November, and the ice does not get away from the river before June. I could not get across the north river at York Factory, on account of ice, before the 10th or 12th of June.

436. Can they grow wheat in the Orkneys?—It will ripen in small quantities, but it is not generally grown; barley and oats are generally grown.

437. But you can grow wheat at York?—Never.

438. The climate in the summer, I take it, is finer than at the Orkneys?—It is milder, a little; but it is more irregular because we have frosts, owing to the ice being in the Bay close off York; you can see ice in the Bay almost the whole season round.

439. Going further south, have you ever been to Lake Winnipeg?—Yes; I have passed through it several times.

440. Have you been in that part of the country through the twelve months?—No.

441. You do not know when the winter begins to the south of Lake Winnipeg?—The winter begins about November, that is to say, the ice begins to shut up the navigation by the end of October; the little rivers and lakes are impassable about the end of October.

442. When does the winter end there?—You can get through Lake Winnipeg sometimes about the 1st of June; at other times you may be stopped by ice up to the middle of June; when I went through with Sir John Richardson we were stopped in that way.

443. Agricultural operations you think would not begin before June near Lake Winnipeg?—No; not to go through the Lake.

444. You say that you went from the boundary over to the United States?—Yes.

445. Did you go through Minnesota?—Yes, to St. Paul's.

446. At what time of the year was that?—In the winter.

447. So that you could not very well judge of the difference between Minnesota and the country round Lake Winnipeg?—No, I could not tell further than that it is a perfectly level tract between Red River and Minnesota; there are no hills or difficulties in the way of travelling.

448. On the Saskatchewan I believe you have never been?—I have never been up there.

449. What part of the territory then is it that you say is perfectly fit for agriculture?—I speak of the Saskatchewan from hearsay, not from personal knowledge.

450. Round about Lake Winnipeg is it fit for agriculture?—It is a low flat sandy place, full of marshes along the north shore of Lake Winnipeg; we sometimes had to go many miles before we could get ground to make an encampment on; sometimes we had to travel half the night before we could make an encampment.



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451. Was that during the winter?—No, in the summer time.
452. Then you have travelled in that portion of the world in the summer, but not through Minesota?—No.
453. Were you ever at the Red River Settlement during the summer?—For a short time in the spring.
454. What sort of land is it about there?—Very excellent ground; rich, good ground.
455. When you passed through Red River and afterwards through Minesota, did you see any great difference between the appearance of that country round the Red River and Minesota?—Very little; it was all covered with snow at the time; I could not judge.
456. Are they peopling Minesota now from the United States?—When I passed up I found no settlements for about 400 miles, between Crow Wing and Pembina. I saw the small trading posts, with a little piece of land cultivated on them, but no settlements that could be called so.
457. *Mr. Charles Fitzwilliam.*] Where is Crow Wing?—It is marked as the Crow Wing River beyond St. Anthony, to the north of St. Paul's.
458. *Mr. Lowe.*] Is the Crow Wing River a tributary of the Mississippi?—It is one of the tributaries of the St. Peter's.
459. Which runs into the Mississippi?—Yes.
460. *Mr. Roebuck.*] I believe now Minesota is a territory, is it not?—Yes.
461. Did it become a territory lately?—In 1852; it was becoming a territory I think either in 1851 or 1852, when I was passing through.
462. Wisconsin is a state, is it not?—Yes.
463. Is Wisconsin peopled thoroughly, or is a large portion of it still wild?—A very large portion; at least the portion that I travelled through was wild.
464. Whilst Wisconsin remained wild, Minesota was begun?—Minesota, up north as far as St. Paul's, seems to be pretty well settled; that is to say, there are now houses; but beyond that, between that and Red River, there seemed to be from 300 to 400 miles, by the route I took about 450 miles, not settled.
465. While very large portions of Wisconsin remained uninhabited, a portion of the territory of Minesota became peopled?—I cannot give you reasons, because I merely speak of the route that I passed through.
466. Did you pass through Wisconsin?—I passed through a very small portion of it.
467. Was that part of Wisconsin through which you passed uncultivated; was there a large portion of the territory unceded?—There was a large portion which seemed scarcely settled; there were saw-mills, and things of that kind.
468. At that very time there were people in Minesota?—Yes.
469. So that Minesota began to be peopled before Wisconsin was full of inhabitants?—Clearly because they followed the route of the river. They could get steam-boats completely up to Minesota, up to St. Paul's. The steam-boats came all the way up the Mississippi with one small break.
470. So that we may conclude that people would go to a new territory if there were inducements to go there, though Canada should still retain lands uncultivated, unsettled, unceded?—Yes, if there were inducements sufficient; but the Americans have not had inducements yet to push up beyond, except at St. Peter's River.
471. Going to a different subject, you spoke of the tariff established by the Hudson's Bay Company; do not they establish a tariff upon the goods they sell and the goods they buy?—Yes; they establish there a tariff for their servants.
472. So that if a man sells you a beaver skin, and you sell him a flannel shirt, you put your own price upon the flannel shirt, and upon the beaver skin?—There is a different settlement of tariff for the Indian, and for the servant.
473. Do not you put your own price upon the flannel shirt and upon the beaver skin?—Yes; 50 per cent. is the price put on.
474. For example, we will take an item; take a flannel shirt; suppose it cost here half-a-crown, you say you put 50 per cent. upon that?—Yes.
475. Fifty per cent. would be added to the half-crown when it got to York; if you took it to the Mackenzie River how much would be added to it there?—Nothing to the servant; our tariff is higher there.
476. I am talking of the Indian?—I do not understand the question. Our tariffs are made; there is 50 per cent., a fixed tariff, put on for the servant.

477. We will not talk about the servant?—Then this article is sold to the Indian; there is a certain tariff, made without any fixed per-centage. The articles that are useful, such as woollens, guns, and absolute necessities, are sold to the Indian at a comparatively cheap rate; there is no fixed percentage upon them. J. Rae, Esq., M.D.  
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478. So that in fact there is no tariff at all to the Indian?—I never made out the tariff, but this is the way in which we did it. Supposing there was a valuable skin, we could not pay the Indian for that in the same proportion as its value.

479. I am not asking that question; I am asking you whether you do not put your own price upon the goods you sell to the Indian, without regard to any tariff whatever?—Exactly so, but there is a fixed price that the Indian perfectly understands; there is no regular percentage put on.

480. You lived some time at York?—At Moose, in James's Bay.

481. Do you know what the tariff was there to the Indian?—Yes; as far as I remember, it was from 2 s. 6 d. to 3 s. for what we called a made beaver.

482. What was the tariff upon goods taken from England and sold to the Indian there?—I do not know that; I did not make out the tariff.

483. Were you there 10 years without ever learning that fact?—Yes; it is difficult to learn.

484. Why difficult to learn?—Because I find that they have no fixed tariff made out upon the plan you have spoken of, wherever it is. There is no fixed per-centage put on the goods anywhere, wherever we have traded with them, or wherever any person else has traded with them.

485. Mr. Lowe.] Do you ask the Indians different prices for goods at different times?—Never; we cannot vary the price.

486. A beaver skin will always command the same amount of European goods?—At the same place.

487. Mr. Roebuck.] Are there not varieties of beaver skins?—Yes; but the beaver skin is the standard; a large beaver making one skin.

488. Do you give the same price for every beaver skin?—Certainly not; two small ones go for a large beaver; two martens go for a large beaver.

489. Who determines whether it is a small or a large beaver?—The Indians themselves determine it; they know it perfectly well, and so does any man who is acquainted with it; any man who looks at it can tell the age of a beaver.

490. Lord Stanley.] When you say that a beaver skin commands a fixed price, you mean, of course, a skin of the average size?—A skin of the average size; a good large skin killed in winter or in spring.

491. Mr. Charles Fitzwilliam.] When you talk of a thing costing so many beavers, you mean that they may give a beaver skin and five or six racoon skins, or marten skins, in the same way that in the buffalo country they talk of a thing being worth so many robes?—Yes.

492. If you bought a horse from an Indian you would give him so many beavers for it?—Yes.

493. If you sold a gun, you would say, "I will take so many beavers for it?"—Yes; it is a thing perfectly understood by the Indian.

494. The beavers being the current coin of the country?—Yes; the same as the current coin of this country. The Indian understands it, and no one will do anything until he gets up to the standard price.

495. Mr. Roebuck.] If a man came with ten beaver skins to the factory at Moose River, you say that he would know what price was to be put upon those beaver skins; but would he know the price to be put upon the European goods?—He does not know anything about the price of the European goods to him. He knows exactly the articles that he wants; he knows how many skins he has got, and he knows what he can get for them.

496. Who determines how much he can get?—It was determined long before I entered the service.

497. It never varies?—It never varies much; it was increased some years ago in favour of the Indian.

498. So that, as goods in England become cheaper, they do not become cheaper in Hudson's Bay?—No; and if the furs sell cheaper we do not give less for them to the Indian.

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499. So that, if by improvements in manufacture here, you can manufacture a woollen shirt at one-fourth of the money previously charged, you still ask him the same sum that it cost when it was four times as dear?—The tariff has been cheapened to the Indian several times; it has been several times altered in his favour. That tariff was made long before I entered the service; I do not know what rules it was made by; but I suppose it was so adjusted that there was a fair profit to be got from the business.

500. Mr. *Edward Ellis*.] Do you remember what was usually given for a beaver?—A blanket was four beavers, but if you got the value of it in musk-rats you would not have above a shilling or two profit, which would not cover the expense; ten rats go to a beaver; ten rats, a few years ago, would sell in the London market for about 3s.; they are higher now.

501. Mr. *Roebuck*.] Have you happened to see the account of Hudson's Bay, published by Chambers?—No.

502. If a statement is therein made of a coat being charged 10*l.* or 12*l.* to the Indian, it is incorrect?—Certainly; it may have cost him that, but the chances are that it only cost him 2*l.* or 50s.; it depends upon the skins he gave for it. The tariff is an arbitrary thing; if you paid for the silver fox and for the marten according to their value, the Indians would hunt up those skins and destroy them in a very short time; they would not think of hunting the inferior skins of the musk-rat, which form about half the returns of the southern districts; and the Indians would not be any better off.

503. Sir *John Pakington*.] If I understand your use of the word "tariff," it is a written scale of prices according to which the goods which the Indians require are supplied to them, estimated in beavers?—Exactly.

504. What is the money result as regards the payment made by the Indians for those goods so supplied to them, of course taking the average value of the skins; you have said that the servants pay fifty per cent. on the London price; what do you suppose the Indians pay?—Much higher.

505. How much higher?—I cannot say; it varies.

506. Do you think they pay 200 per cent. on the London price?—I should think they do.

507. Do you think they pay 500 per cent.?—I cannot say.

508. Do you think they pay very much more than 200 per cent.?—I should think they pay more than that, but it is a calculation that I never entered into; it varies so much with the prices of the furs, and the quantities of skins obtained.

509. You say you have never entered into the calculation; at the same time you seem to have an accurate idea to this extent, that they pay more than 200 per cent. upon the cost price in London?—Yes.

510. Do you think they pay 300 per cent.?—They may; I never made a computation.

511. Do you think if anybody said that they paid 500 per cent. it would be at all an extreme statement?—I cannot tell you; I never made the calculation. Besides which I have been for the last eight or 10 years employed in quite a different service, and have had little to do with the Company's affairs.

512. When did you leave the service of the Hudson's Bay Company?—Only in 1856, but since 1847 or 1846 I have been almost wholly employed in arctic service, consequently I have been only one year on actual duty in the Company's service since then, and I can only speak generally.

513. I think you stated that you had been in the service of the Hudson's Bay Company for a very long time?—Twenty-three years.

514. Where did you chiefly reside during that time?—Moose Factory was the place where I remained longest. I was there 10 years.

515. The neighbourhood of the Moose Settlement being the part of the district with which you are most familiar, as I understand you, is there much wood about that part of the country?—There is pine wood.

516. Is it extensively wooded?—It is well wooded.

517. Are there extensive forests?—There are extensive forests.

518. There is not much prairie about there?—Merely swamp.

519. Does the wood grow to any large size?—About two or two and a half feet in diameter is about the largest that I have seen.

520. Mr. *Edward Ellice*.] Does not the profit made upon the article that is given

given for the beaver in the country depend upon what the beaver sells for in London?—Of course, entirely. *J. Rae, Esq., M.P.*

521. Do you remember the price of beaver a pound some 20 years ago in London?—I do not. 23 February 1857.

522. Was it 30 s.?—About 30 s. or 32 s.

523. Do you remember what it was selling for about three years ago?—Seven shillings or eight shillings a pound.

524. It is now, I believe, about 13 s.?—Yes.

525. *Mr. Percy Herbert.*] What is the weight of an average beaver?—About a pound; some of the large ones are a pound and a quarter.

526. *Mr. Grogan.*] Am I to understand you to say, that in fact the whole trade there is one of traffic?—Yes.

527. And that the beaver is the unit of computation in the purchase and sale of any article?—Yes; it is the currency understood by the Indian.

528. I think you stated that latterly the tariff for that barter had been augmented by the Company in favour of the Indian?—Yes.

529. That is, that they allow a larger quantity of European goods for the beavers than they formerly did?—Yes; there was a modification of the tariff in favour of the Indians some years ago; I forget the season.

530. How do you reconcile that with the fact which we have just heard, that the value of beaver has fallen from 30 s. to 7 s. or 8 s., or 13 s.?—I do not know the reason for making this modification.

531. Have you any impression on your mind that the Company are carrying on an unfortunate trade?—No, I think not.

532. How does it arise that the Company are able, notwithstanding the great reduction in the value of beaver, to give a larger quantity of European goods to the Indian and still have a large profit?—It arose, I fancy, from the fact that European goods got cheaper; that is the only way that I can account for it; I was ordered to make a modification at Mackenzie's River, and I would not do it, except to a small extent, because I found that things went on just as well; that the Indians could clothe themselves very well if they did any work.

533. Are the goods furnished to the servants of the Company and to the Indians the same in quality?—Exactly the same.

534. Are the Indians aware that they pay a higher rate for them than the Company's servants are charged?—They do not seem to be aware of it; they are not told that they pay a higher value, but they are quite satisfied with their treatment generally, and the Indian can clothe himself and get all his requisites if he likes to work.

535. *Mr. Bell.*] Has the same reduction taken place with regard to other furs besides the beaver; the silver fox, for instance; is that selling at a proportionately lower price now to the beaver?—No, I believe not.

536. Is it higher?—It is about the same that it always has been; they vary considerably; some kinds of fur go out of fashion, and others come in.

537. Has the general average price of furs in this country fallen within the last 20 years, or risen?—Some have varied. I do not think the average price on the whole has altered; but beavers have fallen very much, and they were the principal returns of the country at that time.

538. And some have risen?—Yes, I believe a few have risen.

539. *Mr. Roebuck.*] I suppose, during your residence at Moose Factory, you saw the trading with the Indians?—I saw it; I was not a trader, but I saw the mode of trading.

540. I will read you a description given of that mode of trading, and will ask you whether it be a correct one: "Thus, an Indian arriving at one of the Company's establishments with a bundle of furs, which he intends to trade, proceeds, in the first instance, to the trading room; there the trader separates the furs into lots, and, after adding up the amount, delivers to the Indian a number of little pieces of wood, indicating the number of made-beaver to which his hunt amounts. He is next taken to the store-room, where he finds himself surrounded by bales of blankets, slop-coats, guns, knives, powder horns, flints, axes, &c. Each article has a recognised value in made-beaver. A slop-coat, for example, is 12 made-beavers, for which the Indian delivers up 12 of his pieces of wood; for a gun he gives 20; for a knife, 2; and so on, until his stock of wooden cash is expended." Have you ever seen that process?—

*J. Rae, Esq., M. D.* Certainly; but a coat generally costs five or six skins. The process is true; but the details are not true.

23 February 1857. 541. I will now read to you from the "Indian tariff of the territory embraced within the Royal License, situated east of the Rocky Mountains." I find that a gun, which in England cost 22 s., is charged to the Indian 20 beavers, equivalent in market value to 32 l. 10 s.; is that anything according with your experience?—It was true many years ago, but it is not true at present.

542. Have you wonderfully reformed of late?—No, but the price of beaver is not that; it is 13 s. in the market at the present day.

543. Then the Indian would have to give more beavers?—No, it would still be the same; and the gun might rise to 30 s. or 40 s.

544. In marten skins he gives for the same gun, costing 22 s., 60 skins, and their value is 46 l. 10 s.:—I never saw more than two martens go to a beaver since I have been in the service.

545. He gives five silver fox skins for the same gun, and their market value is 50 l.?—Yes, it is true.

545\*. Do they descend to musk-rats, which form half the stock?—At some places.

546. They do not say anything about musk-rats?—No; that is just the thing; there is little or no gain upon them. Let me give my side of the tariff: ten rats go to a beaver; for a gun it would be 200 rats, and the price in the market, some years ago, was 3 d. or 4 d. a skin.

547. Mr. Grogan.] How many beavers go to a gun?—Twenty by that account, and that is the Mackenzie River tariff; that is the very highest tariff that we have to the Indians. If you are paid for that gun in rats you have scarcely the profit that a London merchant would take, even in the City, instead of going to the Saskatchewan, and those musk rats form one half of the bulk of the returns of the southern department, and a great portion of the northern.

548. Mr. Roebuck.] Can you state the difference between silver foxes and beaver skins; how many beaver skins go to one silver fox?—Four or five.

549. Then they give five silver foxes for this same gun?—Yes, in Mackenzie River, but about half the amount elsewhere.

550. And that is equivalent, it is stated, to 50 l.?—Yes.

551. That is the mode of trading with the Indians?—That is the mode on the one side; you must take both sides. There is a loss, at least not a gain, in trading with the inferior furs. Were we to pay according to the value of the skins the Indian would hunt up and destroy all the valuable fur-bearing animals, and would not catch a musk rat or the inferior skins at all.

552. When you trade in musk rats in order that the Indians should catch musk rats in place of catching beavers, you give more for the musk rats in proportion than for the beaver?—The more inferior the skin, the higher the price which is given in proportion.

553. Supposing an Indian comes with musk rats to buy a gun, how many musk rats will he give for this gun?—About 200 in Mackenzie River, and a little more than half elsewhere.

554. And how much is each musk rat worth?—They have got up this last year, they were from 3 d. to 4 d. for several years.

555. What are they now?—I forget, but they have increased this last season.

556. Are they 6 d.?—Yes, fully that; more.

557. That would be 5 l.?—Yes, at Mackenzie River, but not much above half the sum elsewhere.

558. Instead of 22 s.?—Yes; but 6 d. was a high value, 2 l. 10 s. to 3 l. would be the value of them some few years ago; 2 l. 10 s. would be at 3 d.

559. Mr. Gurney.] If I understand rightly, the principle is, that you give a higher price for the lower skin, and a lower price for the more valuable skin, with the view of yielding the Indian a fair average on his general hunt?—Exactly so, because were we not to pay them for the inferior skins higher than any person could do with a profit, they would not hunt up those skins, which are very numerous; they would follow up the others as they have done on the frontier, and destroy all the valuable animals without advantage to themselves.

560. Mr. Lowe.] It is a contrivance for preserving the more valuable animals?—Yes, and probably the Indians also, because the poorer Indians and the women and children hunt up the musk rats, of which there are abundance, and can provide food and clothing for themselves in that way.

561. Mr. *Edward Ellice*.] You were at Moose for a considerable time, and were through the Indian territory; what disposition have you generally observed in the Indians towards the traders?—They are most friendly, as far as I have ever seen them. J. Rae, Esq., M. P.  
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562. When Indians came to the fort that you were at, in distress or in a state of destitution, did the servants of the Company relieve them?—They were always relieved both in food and clothing if requisite, and in medicines if necessary, for those who were sick, and that was done gratuitously; they got the clothing gratuitously; if they could not pay for it, it remained a debt. If it was an old person that could not hunt he got the clothes gratuitously, and some food also.

563. At your station were spirits ever bartered for the furs?—Never. Where I was, there was a dram occasionally given to a good hunter when he came in, one on coming and one on going, but spirits were never bartered for furs.

564. Was it an uncommon thing to see an Indian in the territory in a state of intoxication?—Very uncommon in late years in the Company's territories.

565. Are you aware that spirits are given in small gratuities at certain times of the year?—They are given in the summer when Indians are employed to voyage; they are given because it is an old custom with the men, much as it is with sailors or anybody else, to give them a little spirits when they come down to the depôt, and the Indians so employed get the same quantity. But the Company, wherever I have been, have offered them other articles, tobacco, tea, and sugar to two or three times the value, if they would take them, instead of the spirits.

566. Mr. *Roebuck*.] The spirits were for payment in that case, then?—No, the spirits were given as a gratuity. What they call the regale given to the men when they come down.

567. Mr. *Edward Ellice*.] The supply of spirits was limited to what was called the regale?—Where I was, and in many cases, we had no spirits; we have no spirits in the Athabasca or in La Crosse or on the Mackenzie River, for the men, officers, or Indians; the persons in charge had no spirits or wine allowed them.

568. In trading with the Indians, did you find them tolerably quick in their dealings with you, or were they credulous and to be imposed upon easily?—They understood the value of every skin they had, and they had in their mind everything that they wanted.

569. Were they shrewd in their dealings?—Perfectly shrewd.

570. They knew their rights?—Perfectly so.

571. They were aware that with this tariff, which was established for the barter, the servants of the Company could not interfere; that it was a fixed thing with them?—They knew it thoroughly.

572. Mr. *Gordon*.] But I think you said that you thought the Indians were unaware of the much higher per-centage that they were paying for articles?—Yes; they did not understand anything about the per-centages.

573. Mr. *Edward Ellice*.] Is there any district in the country besides the district you were first speaking of, the Saskatchewan, where you think a self-supporting colony could exist?—Not in the present state of the country; not till it is settled up to that point, and then it might, but it would take a long while.

574. To what part of the country do you allude besides the Saskatchewan: to the thick wood districts?—The only part that I should fancy, would be up about the Rainy Lake.

575. The Rainy Lake is between Lake Superior and the Red River?—Yes.

576. In what part of the thick wood districts, north of Lake Winnipeg, do you think a self-supporting colony could exist?—Nowhere, according to my experience.

577. I believe you have travelled in the country between the northern shore of Lake Superior and the Red River?—Yes, in winter.

578. What sort of a district is it, keeping on British territory, between the Red River and Lake Superior?—From the Red River to Lake Superior, by the route that I came to Fort William, towards the west end of Lake Superior, is not a difficult country to travel over, because we in the winter followed the lakes and rivers; but on coming to Lake Superior, the hills on the north shore there run north and south, consequently there is a continuous series of ridges

*J. Rae, Esq., M. D.* having deep ravines between them, where the streams running out to Lake Superior pass through, and you have to go about 100 miles to the north of the place before you can travel well. I went to the north about 100 miles, and found the country there difficult to travel over; we were obliged to leave our dogs, and carry our clothes and provisions on our backs.

579. That is on the northern shore of Lake Superior?—Yes.

580. Was there there any temptation to a colonist to settle?—It was the winter time, and I saw no country that would do for settlement; there were a great many swamps. I passed along the head waters from Nipegon to Long Lake, and it seemed to me a swampy country, like most of the head waters of the country.

581. In travelling from Fort William to the Red River, in taking goods is it a difficult or is it an easy route?—Very difficult; we are not able to travel there with any thing but canoes; the rivers there are too difficult for boats even.

582. It is a very level and swampy country?—It is a level and swampy country in one part, and it is very hilly close to Lake Superior; there are some high hills to climb over, two in particular.

583. For all purposes of practical transport that country is an impracticable one in winter, is it not?—Quite so, to a great extent.

584. There has been a good deal said about a railway coming from Canada to the Red River, and so on; from what you saw of the character of the country, are the physical difficulties very great against carrying out that railway?—I should think they would be immense; not insurmountable, but immensely expensive, particularly on that line along the north of Lake Superior.

585. Did you hear Colonel Lefroy's evidence?—Yes.

586. He describes that as a line which engineers had drawn in the air, of course imagining that science and art can overcome all the physical difficulties; I suppose you agree in that evidence?—Perfectly; as far as the practical results go, it could never pay anything in the present state of the country.

587. Supposing that a British colony was founded, and that the Government of Canada was to be extended to the Red River, and no railway was to be made, how could communication be kept up between the seat of government in Canada and the colony of the Red River in winter?—There is no regular communication without going through the States; there could be no regular and quick communication.

588. If any one now wanted to go, say from Toronto to the Red River, in winter, how would he go?—Through the States, by railway as far as it went, and he would then cross over the prairie country, which is unsettled, with horses or dogs.

589. *Mr. Kinnaird.*] Was the 400 miles that you travelled to St. Paul's with horses?—Dogs; horses could not travel; the snow was too deep; it was in February or March.

590. Could you have done it with horses in the summer?—Yes, it is practicable in summer both with horses and with waggons; light waggons go regularly across the prairie plains.

591. *Mr. Edward Ellice.*] Do you know the Nipissing at the head of the Ottawa?—I have never been there, but I know where it is.

592. Taking that to be the end of the railway concession, how far is it in a straight line from the Red River?—It is difficult to say, but I think it is somewhere about from 1,000 to 1,200 miles; it is on the charts.

593. I understand you to say that you have been through the district extending from there, and are able personally to speak to the sort of country which it is?—I have traversed that country once, and I have passed through Lake Superior several times by water; the whole of the shores of Lake Superior are perfectly impracticable; there is a little cultivable ground at the mouth of each river, but otherwise it is an immense rocky tract.

594. *Mr. Roebuck.*] Supposing you were going from Lake Erie up to Lake Superior, could not you go in a steamer up Lake Erie, and from Lake Erie into Lake Huron, and from Lake Huron into Lake Superior?—Yes, in summer.

595. *Mr.*

595. Mr. *Lowe*.] Is there a canal open now?—They are preparing one; I am not quite sure whether it is open. *J. Rae, Esq., M.D.*

596. Mr. *Roebuck*.] When that canal is finished, if it be not finished, there will be a regular communication from the Atlantic Ocean to the head of Lake Superior?—Yes. 23 February 1857.

597. You say that the road is impracticable during winter?—Yes.

598. If the country were peopled, would not the people make a road in for the sleighs?—Not along the north shore of Lake Superior.

599. Would they not travel over the ice?—The lake is so bad that the ice gets detached from the rocks; it does not remain fast, and our expresses seldom or never attempt to go there. The wind comes on, and the waves from the lake break up the ice; and several of the expresses have been nearly lost.

600. Sir *John Pakington*.] Which line do they take in winter?—They go further to the north by Lake Nipigon, and a place called Long Lake, 100 or 120 miles in from Lake Superior.

601. Mr. *Roebuck*.] So that if the country were peopled at Lake Nipigon, there would be a regular communication by sleighs?—I cannot say; the route that I passed by is impracticable to sleighs.

602. Are you at all aware of the richness of the northern shore of Lake Superior in metal?—I have understood that there are mines; at least that there is copper ore there.

603. Is that no attraction, do you think?—I understood that the geologists, who visited them, said that they would scarcely pay for working them; they are not equal to the mines on the south shore. I have not examined them myself; I only speak from hearsay on that point.

604. Therefore you cannot say whether that country has inducements to settlement or not?—I can say that it has not the least inducement of having fine agricultural land to settle upon along the north shore; it is a perfectly barren, rocky coast, perfectly iron bound, except at the mouths of some of the little streams where there is a little alluvial deposit of land, where little patches may be cultivated; generally speaking, it is a rocky, barren coast with ridges.

605. Do you know the northern shore of Lake Huron?—I never came along that side.

606. Have you passed over from Lake Huron to Lake Nipissing?—I never was there.

607. Then the questions put to you about Lake Nipissing you cannot answer?—No. I said that I could not answer them. I never passed that way.

608. Mr. *Edward Ellice*.] Will you describe upon the map the line of country that you have been through, starting from Fort William; where did you go to, going up towards Nipigon?—I passed directly from Fort William up to Lake Nipigon; I then struck east to a place called Long Lake, about 100 miles.

609. What sort of a country was it between Lake Nipigon and Long Lake?—It was low and swampy. I passed through a number of little lakes and rivers, and swamps, apparently; they were all covered up with ice at the time. Then from Long Lake I went to the Pice River, a difficult tract of country; that is on Lake Superior.

610. What sort of a country was it between Long Lake and Pice River?—Very rough and rugged; our dogs got knocked up; we could scarcely use them; we were obliged to carry our clothes on our backs.

611. Which way did the rivers run there?—Nearly north and south generally.

612. Mr. *Roebuck*.] The Pice River falls into Lake Superior?—Yes.

613. Mr. *Edward Ellice*.] And the water the other way ran to the north, to Hudson's Bay?—I did not go so far up, I was only at the watershed at the head waters.

614. Did there appear to be no valley in that direction, or no part eligible for settlement?—I saw nothing, excepting that the country which I went over was low; it looked swampy, like most of the watersheds there.

615. Where did you go to from Pice River?—To Michipicoton.



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616. There you came down into Lake Superior?—Yes. From that I came to St. Mary's; we were obliged to leave our dogs behind.

617. *Sir John Pakington.*] How did you get on?—We walked on foot, and carried our baggage and provisions on the backs of men. It is one of the roughest countries I ever passed through.

618. *Mr. Edward Ellice.*] With respect to the mines on Lake Superior, are you aware of the number of them, or the available state of the work at those mines?—I am not.

619. But a great many companies have attempted to work them?—Several.

620. Both on the American and on the Canadian side?—On both sides.

621. The general result has been not very profitable?—Not on the north side, because they have given them all up, or most of them. There are only a few of the American mines paying where they get large masses of copper.

622. I believe that the great difficulty with the copper there is from its extreme purity, and the great masses that it is in, so that they cannot easily break it?—On the south side; but they have found nothing of that kind on the north side that I am aware of.

623. But all the copper is actually in large solid masses, requiring great force to break it?—I have seen pieces of one or two tons, and pieces are found much heavier than that.

624. *Sir John Pakington.*] What was the length of time occupied in your journey from the Red River to Toronto?—To St. Mary's, two months; about 60 days.

625. It is a journey rarely made I suppose?—Not by the same person; there are generally relays of men at each post; each eight or ten days.

626. The journey is made from post to post?—Yes; by different relays of men.

627. In that way is the journey often made during the winter months?—Only once or twice when the express comes down; the winter express used to come that way communicating with all the posts bringing information down to Canada.

628. What is the distance between the posts?—Generally 100 to 200 miles; by the route followed it is more.

629. *Mr. Grogan.*] You said that the express went by Lake Nipigon and by Long Lake; did the express travel that route because there were posts there?—Partly, and partly because they cannot travel along the lake on account of the ice breaking away sometimes with a gale of wind, which renders it very dangerous; the shore is so precipitous that the ice is apt to break away and prevent travelling.

630. Are there no posts between Lake Nipigon and the north shore?—No.

631. It is the only route that is practicable?—It is the only route that the Company's people go generally; they make a rush sometimes across the Bay, but they do not do so generally, it being so unsafe.

632. *Mr. Bell.*] Are there any whales in Hudson's Bay?—I saw a few up to the north.

633. You do not know whether the Hudson's Bay abounds with them?—No, not the southern part; I saw a few in the northern part, towards Repulse Bay.

634. Are there any seals?—There were plenty of white porpoises and many seals, and some walruses the last time I was there.

635. Do they afford a large quantity of oil?—Yes; the Esquimaux kill them.

636. There are no British fisheries?—No; none are established there.

637. They are not allowed, I suppose?—No one ever attempted it that I am aware of.

638. Do you know whether that is part of the Hudson's Bay monopoly?—It is part of the Hudson's Bay territory.

639. So that no ships can come into the Hudson's Straits to fish for whales?—I suppose so; there are not many whales.

640. Do you suppose there would be a sufficient quantity of fish of that kind to support a settlement?—I think not; when I went in 1846-7 I saw a good many whales; when I went in 1853 and 1854 I saw only one or two small ones.

641. At what part of Hudson's Bay?—Inside Southampton Island.

642. *Mr. Edward Ellice.*] How long is the water so free from ice that vessels could hunt the whales?—About two months; it is very dangerous; it is full of currents;

currents; it nearly wrecked Sir George Back's vessel, and prevented another gentleman, Captain Lyon, twice from getting up there, whose vessel got nearly destroyed; the currents are very strong and it is very dangerous; I got on because I had boats and got inside the ice in shoal water. J. Rue, Esq., M.P.  
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643. Mr. Charles Fitzwilliam.] Do you know of any coal being discovered anywhere on the shores of Hudson's Bay?—I am not aware of any.

644. Mr. Grogan.] Along the journey which you have described to us as having taken, were there any houses or any people?—None, except the posts that I have mentioned.

645. The whole of the rest of the country is unoccupied and desolate?—Quite, except by Indians.

646. Mr. Kinnaird.] From your evidence I gather that you entirely approve of the rule of the Company, in not selling spirits to the Indians?—Perfectly; it is the best rule that was ever made.

647. Have you compared them with those who have access to spirits?—Yes, I have seen the effect; the Indians are much easier to deal with, more attentive, and better in every way.

648. You also, I gather, approve of settling and attempting to civilise them; you think that it may be done with success?—I think it is a good thing; if it could be possibly done it would be beneficial in every way; it is not even opposed to the Company's trade, because the time when they would be employed in the settlement is not the time when they hunt.

649. The scheme has been partially successful in the Red River?—Yes, but very partially, because most of them hunt in the winter, and they do not depend upon the farms.

650. The settling and the civilising have never been opposed by the Company in any way?—Not that I am aware of.

651. Chairman.] Still, do you think that the constitution of the Company is such as to make it very well fitted for the management of settlements except upon a very small scale?—I speak of the Indians settling down, not of others settling; not of colonising, not of strangers coming in.

652. When you use the word "settlements," you mean mere Indian villages?—Indian villages and settlements; local trading places.

653. Mr. Roebuck.] But surely a fur company is opposed to colonisation, is it not?—I should fancy so, generally.

654. Therefore, insomuch as the Hudson's Bay Company is a capital fur Company, it is a very bad coloniser?—I should fancy so; it never professed to be a colonising Company.

655. Mr. Lowe.] With regard to the half-breeds, do you consider them a material from which an agricultural population can be formed?—I believe that the English half-breeds may be so; they are a very excellent race generally, but careless and improvident.

656. Will they settle down and cultivate the ground?—There will be a difficulty about it, because they generally prefer the hunting.

657. Have they settled in any great numbers?—In the Red River to a considerable extent.

658. Have they given up hunting altogether?—Not so far as I know. They generally hunt as long as they are able; they go as voyageurs in the summer, and hunt in the autumn and winter.

659. And they do not really cultivate the ground much?—Many of them do, but the generality of them prefer the sort of wild life of hunting.

660. Are they troublesome people to govern?—Not so far as I am aware.

661. The Company has no difficulty in ruling them, and keeping them in order?—I think not; I speak particularly of the English half-breeds. I have generally had them with me on my expeditions, and found them good practicable men.

662. Chairman.] Is the number of the half-breeds much increasing?—I should think it is; where they are colonised, they are increasing largely.

663. Mr. Charles Fitzwilliam.] You spoke of the settlement at the Red River just now, as if it was a settlement of Indians; there are very few Indians there, I believe?—There are a good many at both ends.

664. I mean full-blooded Indians?—A good many Crees are settled there, and others.

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665. They do not farm, do they?—They do to a small extent.

666. Are they not the only instances of Indians, except those that have been surrounded by the population of Canada, that you know of, who have settled down as farmers?—There is one instance in the States that I have heard of.

667. Where?—I forget the name of the tribe.

668. The Cherokees?—Yes; they have settled down, and have really become civilised; they have their own Member going to the Legislature, and they have schools.

669. The Cherokees are not now inhabiting the ground where they were originally found?—No; they have changed their ground, and also so have some of the others; some have immigrated from their own lands to the Red River.

670. Mr. Roebuck.] In the whole history of America has there been one instance of a half-breed settlement continuing up to the present time?—I am not able to answer that question.

671. Has it not been found by experience that the red man is opposed to that kind of life which we call civilised life?—Exactly so; there is no doubt about it.

672. And wherever the civilised man comes the red man disappears?—Yes, that is the result, generally speaking.

673. Mr. Gordon.] In a letter from Sir George Simpson, which is to be found in some papers laid before Parliament in 1842, he says: "Our different trading establishments are the resort or refuge of many of the natives who, from age, infirmity, or other causes, are unable to follow the chase; they have the benefit of the care and attention, free of expense, of our medical men, of whom about 12 are usually employed in the service; every trading establishment being in fact an Indian hospital." How far does your experience as a medical man in the service of the Company bear that out?—Wherever we act as medical men our services are given gratuitously. We go to a distance if an Indian is at a distance, and have him taken to a fort, and he is fed and clothed there. And it is no uncommon thing to hear the old Indians, when unfit for hunting, say, "We are unfit for work; we will go and reside at a fort." That is the ordinary feeling which prevailed in the country. Although there are no medical men up at the different posts (there may be the number Sir George has mentioned scattered over the country), yet medicines are sent up to all the posts in regular supplies.

674. If that attendance were asked it would always be afforded?—Yes.

675. Was it frequently afforded?—Frequently so; but those places on the coast are liable to much more disease than places inland.

676. Then, in short, you think that if a statement were made, that the Directors of the Hudson's Bay Company considered that it was their business to attend to the Company's own servants, but not to any other class of the population, it would be a false charge?—Perfectly erroneous; in fact the Indian is more readily attended to generally than the others.

677. And as a rule the medical men appointed by the Company would not consider it their sole duty to attend to the Company's servants?—Certainly not; they are there for the Indians as much as for the Company's people.

678. Mr. Roebuck.] How long did you say that you dwelt at Moose Factory?—Ten years.

679. During that time what was the average number of the worn-out hunters who lived there upon your charity?—I cannot exactly tell that. The population of the place was, I think, about 180 altogether; few Indians came there; but there were generally two or three or four old families, or six sometimes, pensioners at the place. They called at the Fort; they were there regularly every week; they had their encampment at the place, and they went and hunted at intervals as they were able, and if they were not able to get food enough, they had it given to them.

680. How many people would those families number?—Perhaps 12; perhaps 13 or 14 altogether.

681. Then I understand you that at the Moose Factory there was an average of about 12 old Indians?—Yes, women and men.

682. That was the sum of the great advantage that the Indians round about Moose Factory derived, namely, 10 or 12, or, say, 14 or 16?—The whole population there is about 180, and if any of them came in and were unfit to hunt, they

they were received at the Fort; we never forced them into the Fort; but if they came and asked assistance and wished to stay, they did so. *J. Rae, Esq., M. D.*

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683. Mr. Labouchere wishes to know whether anything is done with respect to vaccination?—Yes; vaccine matter is sent to all the posts. I may mention a curious fact, which is, that in the year 1835 the small-pox was brought up by a steamboat from the States. A gentleman at the Saskatchewan vaccinated all the Cree Indians that came in; and there was scarcely a single case occurred among the tribe; we supposed it was because they had all been vaccinated; whereas deaths took place amongst the more distant tribes, near the Missouri. The small-pox was brought by steamboat up the Missouri, and was brought over to the Saskatchewan by a quantity of horse stealers, who heard that the disease was at the Missouri, and went to steal horses there. They found the Indians dying by hundreds; they took the disease with them, and most of them died upon the road.

684. Taking you from Moose Factory to the mouth of the Mackenzie River, where you lived; how long did you live there?—About nine months at Fort Simpson, and two years at Bear Lake, which is in the Mackenzie district.

685. How many worn-out hunters lived there, deriving charity from you?—I do not remember; I think there were about two or three families whilst I was there; at the one post.

686. Say six people?—Yes, about that at that time; but it varies according to the privations which the Indians have suffered.

687. Mr. Gurney.] Did I understand you rightly, that in addition to the worn-out hunters who were resident, there was also gratuitous medical advice given to the other Indians as they happened to require it?—To every one that came, or that we heard of.

688. Sir John Pakington.] How far south do the Esquimaux come?—Along the shore of Hudson's Bay; they come to Churchill, in latitude 59°.

689. Do they come down as far south as the Great Slave Lake?—They do not go inland at all; the furthest inland that they go is up the Back River, that we know of now.

690. They always keep to the rivers or the sea?—Yes, it is generally found so.

691. Is there in the interval a large tract of land between the North American Indians and the Esquimaux?—Certainly; a sort of debatable land; and between each tribe of the Esquimaux themselves there is a debatable land; for instance, the tribe of Esquimaux about the Copper Mine River do not seem to me to associate or mix with those to the West or East; when any one has gone there, they have found that they have no tools, either Russian or Hudson's Bay, among them; nothing that could be traced either to the Russians or to the Hudson's Bay Company.

692. The Esquimaux, I presume, from what you say, are different tribes, but not different races?—Not different races, I think.

693. What is the extent of the debatable land between the Indians and the Esquimaux?—It varies according to the circumstances; the Chipewyans and the Esquimaux frequently meet at Churchill; then the Louchoux and the Esquimaux meet again on the Mackenzie, but on the Coppermine River the interval between them is about 60 or 100 miles.

694. Mr. Grogan.] How long at any time did you reside at the Red River Settlement?—About two months at one time; that was the longest period I was there.

695. Do you know the regulations of the American companies with regard to hunting; do they give a larger price relatively to their value for the inferior skins, as the Hudson's Bay Company does?—They sell their goods nearly at the same price as the Hudson's Bay Company, only the goods are inferior; Indians, frequently from the American side, come over to the Hudson's Bay Company to get good guns or a good article, and they get them as cheaply as in the States; that I have heard from hunters who have been among the Americans. Another point I may mention, namely, the proportion of spirits which is acquired on the American frontier; when I travelled down from the Red River to Crow Wing to the Minnesota territory, nearly every American Indian that I found travelling, had bottles of spirits with him.

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696. *Mr. Charles Fitzwilliam.*] That country which you travelled through from Red River down to Crow Wing was a so-called settled country, was it not?

—No.

697. It formed what is called in the States, Indian territory?—Perfectly so, as much as in any of the Hudson's Bay Company's territory, where I passed through; we came to little posts between Pembina and Crow Wing.

698. I mean within the boundary of the Minnesota territory?—Yes.

699. Consequently these people who traded in this liquor were not the licensed Indian traders, men who had paid money to obtain a license to trade with the Indians, but they were the free settlers?—Yes, I think free settlers.

700. Over whom no company had any power whatever; an American trading company has no power over the free settler of Minnesota?—The Government have; they made it a rule that no spirits should be sold to the Indians on or near the frontier; that was what I understood; whereas there they had abundance; it was against the rules of the Government for them to get it, but the Government could not prevent it.

701. *Chairman.*] Do you imagine that the American Fur Trading Company does put any effectual check upon the sale of spirits to the Indians in their country?—I cannot tell, because I have never been among them.

*Jovis, 26<sup>o</sup> die Februarii, 1857.*

#### MEMBERS PRESENT.

Mr. Adderley.  
Mr. Bell.  
Mr. Blackburn.  
Mr. Edward Ellice.  
Mr. Charles Fitzwilliam.  
Mr. Gladstone.  
Mr. Gordon.  
Mr. Gregson.

Mr. Grogan.  
Mr. Gurney.  
Mr. Percy Herbert.  
Mr. Kinnaird.  
Mr. Labouchere.  
Mr. Lowe.  
Mr. Roebuck.  
Viscount Sandon.

THE RIGHT HON. HENRY LABOUCHERE, IN THE CHAIR.

*Sir George Simpson, called in; and Examined.*

*Sir G. Simpson.*

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702. *Chairman.*] I BELIEVE you hold an important situation in the administration of the territories of the Hudson's Bay Company?—I do.

703. What is it?—I have been Governor of their territories for many years.

704. How long have you held that situation?—Thirty-seven years I have been their principal representative.

705. *Mr. Edward Ellice.*] As governor the whole time?—Yes; I have held the situation of governor the whole time.

706. *Chairman.*] What is the nature of your authority in that capacity?—The supervision of the Company's affairs; the presiding at their councils in the country, and the principal direction of the whole interior management.

707. Where do you generally reside?—I have resided for several years at the Red River Settlement; I have resided in Oregon; I have resided in Athabasca, and latterly I have resided in Canada.

708. Is there any fixed seat of government within the territories of the Hudson's Bay Company?—There is no fixed seat of government, but there is a seat of council for the northern and the southern departments; one at Norway-house, at the northern end of Lake Winnipeg, and the other at Michipicoton, or Moose Factory, for the southern department.

709. Your authority extends, I imagine, as well over Rupert's Land as over the territory which the Company holds by license?—Over the whole of the Company's affairs in North America.

710. What

710. What is the nature of the council which you have mentioned?—The principal officers of the Company, the chief factors, are members of council. If there is not a sufficient number of chief factors the number is made up by chief traders, who are the second class of partners, and all matters connected with the trade are discussed and determined at this council.

711. What is the nature of the authority of the council as distinguished from your own; are they merely advisers?—They are advisers, and they give their opinions and vote upon any question that may be under discussion.

712. Does the ultimate authority and decision reside in you solely, or is it with you in conjunction with the council?—With me in conjunction with the council.

713. Do you mean that they could outvote you and prevent your doing anything which you thought proper?—They could outvote me, but it has never been so; in the absence of the council my authority is supreme; in travelling through the country, or giving any direction connected with the management of the business, my authority must be acted upon until it be annulled or disallowed by the council or the Company.

714. Of course, having administered the affairs of the Hudson's Bay Company during so long a period, you are well acquainted with every part of their territories?—I have travelled through the greater part of the country; I have not visited what are usually known as the Barren Grounds.

715. You are well acquainted with the western portion, as well as the eastern?—Yes; I have not been in Mackenzie's River, but I have been in nearly all the other parts of the country; my usual route in going up the country is from Montreal by Rainy Lake and Lake Winnipeg to Red River; I have crossed the Rocky Mountains at three different points to Oregon.

716. Will you have the goodness to give to the Committee an account of your impressions of the character of the territory of the Hudson's Bay Company in point of soil and climate, particularly with reference to its adaptation for the purposes of cultivation and colonisation?—I do not think that any part of the Hudson's Bay Company's territories is well adapted for settlement; the crops are very uncertain.

717. Do you mean that observation to apply only to Rupert's Land or to the entire of the territory now administered by the Hudson's Bay Company?—I mean it to apply to Rupert's Land.

718. How would you describe the limits of Rupert's Land to the west?—The Rocky Mountains to the west.

719. Would you apply that observation to the district of the Red River?—Yes.

720. And the country immediately behind it?—Yes.

721. Is it not actually settled?—I do not consider it well adapted for settlement.

722. Why so?—On account of the poverty of the soil, except on the banks of the river. The banks of the river are alluvial, and produce very fair crops of wheat; but these crops are frequently destroyed by early frosts; there is no certainty of the crops. We have been under the necessity of importing grain within these last ten years from the United States and from Canada, for the support of the establishment.

723. Have you an equally unfavourable opinion of the country on the Saskatchewan River?—Yes; the climate is more rigorous, and the crops are even less certain on that river; the scarcity of timber also is a great bar; there is little or no wood in the country. The present population of Red River have great difficulty in providing wood for their immediate wants.

724. Is there any part of the territory of Rupert's Land towards Lake Superior that you think adapted for cultivation?—Immediately upon the right bank of the Rainy Lake River cultivation might be carried on to advantage; but there is merely a slip of land adapted for cultivation; immediately behind are deep morasses which never thaw.

725. Mr. Gladstone.] Is that right bank of the Rainy Lake River in the Hudson's Bay territory?—Yes.

726. Mr. Edward Ellice.] Do you mean by "never thaw" that in the summer, when the surface is thawed, if a person was to walk through that morass his foot would get to the ice below?—No, not immediately so; but by digging deeper you would come to ice.

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727. *Chairman.*] You have stated that in Rupert's Land you do not think there is any extent of territory of any consequence which would, for some time at all events, be adapted for colonisation and settlement?—Which would be favourable for colonisation or settlement; it is possible.

728. Do you apply the same observation to the land to the westward of the Rocky Mountains?—In the British territory I do, north of parallel 49°; it is a rugged, precipitous, mountainous country.

729. Is the whole of it of that character?—Principally of that character.

730. Do you know Vancouver's Island?—I have passed Vancouver's Island previously to its being British territory; I cannot speak to it.

731. Do you consider Vancouver's Island as being within the territory of the Hudson's Bay Company?—No.

732. You do not mean your observations to apply to that?—No, not to Vancouver's Island.

733. Are you acquainted with the coast near Vancouver's Island and above it?—Yes, I have gone along the coast from Puget's Sound to the Russian principal establishment at Sitka.

734. Do you believe that coast to be altogether unfavourable for the purposes of colonisation?—I believe it to be quite unfit for colonisation.

735. Do you know Queen Charlotte's Island?—I have not been on Queen Charlotte's Island.

736. Mr. *Edward Ellice.*] You confine your observation to the main land?—Yes.

737. Mr. *Gladstone.*] I think you have spoken of Rupert's Land as including, from west to east, the whole country, beginning from the Rocky Mountains and moving eastwards?—Yes, to the shores of the Bay.

738. Do you understand that to have been the original signification of the term Rupert's Land, dating from the period of the charter?—Yes; that it includes the land on all waters falling into Hudson's Bay; they form the boundaries of the territory.

739. There is a reference in the charter to the fall of the water, is there?—I cannot call that positively to mind; that is the impression upon my mind, and I believe it is the general impression.

740. It is difficult, I suppose, for you to state what you would take as the northern boundary?—The northern boundary of Rupert's Land I call the Methy Portage and Lake, dividing the waters that fall into the Bay from those that fall into the Arctic Sea; there is a height of land at the Methy Portage.

741. Taking the Methy Portage as the northern boundary for that longitude, as you come eastwards the territory trends very much to the north?—Yes.

742. And goes up to the Melville Peninsula, which seems to be about the northernmost part?—Yes.

743. Speaking of the whole of that country, as included in Rupert's Land, would you draw any material distinction between the climate of one part and the climate of another?—Yes; the climate of the southern part of the country is not so rigorous as that of the northern; the winters are not so long.

744. What would you say was the length of the winter in the most favourably situated parts of the territory?—Five and a half months, I should say, at Red River, which is the most favourable part of the country.

745. Is there any part of the coast of Hudson's Bay, or James's Bay, which partakes of a comparatively good climate?—Certainly not.

746. Is the softening influence of the sea not much felt in any portion of it?—Not much; at York Factory, within about 18 inches or two feet of the surface, we come to ice.

747. Mr. *Edward Ellice.*] At all times of the year?—At all times of the year.

748. Mr. *Gladstone.*] Would that observation apply to James's Bay, even down to the southernmost point, viz., Moose Fort?—I should say the climate is not much more favourable; barley very seldom ripens there, and the potatoes are exceedingly small, and the crops unproductive.

749. Irrespectively of the question of north and south, is not there a good deal

deal of difference in the climate, according as it lies eastward or westward?— Sir G. Simpson.  
Yes.

750. Does the climate improve westward?—It rather improves westward; 26 February 1857.  
as you go from the coast westward the climate improves.

751. Did you ever hear the saying in America that a degree west was equal to a degree south?—No, I never heard it.

752. Take the Saskatchewan country, upon the banks; is there no alluvial soil on the River Saskatchewan?—There is alluvial soil, but the season is not so long, and the frosts are earlier than at Red River.

753. Have you travelled up the Saskatchewan yourself?—Repeatedly; we have very seldom been able to raise wheat in the Saskatchewan.

754. Have you travelled up different branches of it?—I have.

755. What length of winter would you give to the banks of the Saskatchewan?—About a fortnight or three weeks longer than at Red River.

756. Would it be six months?—Yes.

757. In the account which you have given of the climate of that country, take, for instance, the climate of the banks of the Saskatchewan, you have made no allowance for the influences upon climate which are produced by settlement?—No; I am not aware that settlement does produce any material influence upon climate; I have not known it do so in Canada; I have been in the Canadas for a great many years, and I do not find the climate improved; I think the last two winters have been the two most rigorous winters I have experienced in Canada.

758. I suppose it is not to be doubted that when a large district of country becomes populous, there is then an influence upon climate?—I have not seen it; from my experience it is not so; I think the climate of Canada is as severe as it has been at any time during the 37 years for which I have known the country.

759. And that is true even with respect to the most settled and the most densely peopled parts of the country?—Yes.

760. Taking the case of the country to the west of the Rocky Mountains, I understand you to have described Vancouver's Island as upon the whole favourably circumstanced with respect to climate?—I do not speak to Vancouver's Island; I have never been there, except touching the northern part of the island in a steamer; the weather was unfavourable and I could not examine the island.

761. Taking the coast opposite to Vancouver's Island, is it less favourably situated than Vancouver's Island?—It is so; it is rugged; it is only the southern end of Vancouver's Island that is favourable for settlement; the northern part is exceedingly rugged, of the same character as the opposite mainland coast.

762. Take the coast opposite the southern end of Vancouver's Island; it has a south-western aspect, has it not?—The southern part of the mainland has.

763. Is that as favourably circumstanced as Vancouver's Island itself?—I think not; it is not so favourable as the southern part of Vancouver's Island.

764. What is it that makes the portion of the mainland opposite the southern part of Vancouver's Island less favourable for settlement than the island itself?—That portion in British territory is exceedingly rugged and mountainous, craggy, and there is a want of soil.

765. Is the mainland side of the channel there rugged, and the island side of the channel open and favourable, or are both sides rugged?—The island is less rugged than the mainland at the northern end of the island.

766. I am now speaking of the southern end of the island and of the landward side of it?—The American side of the channel is the same character of country.

767. Rugged?—No, open.

768. What is the character of the mainland opposite that open country on the landward side of the southern end of the island?—The same character; open.

769. Mr. Edward Ellice.] That is not British territory?—No; that is American territory; that is south of 49°.

770. Mr. Gladstone.] Take it north of 49°, between Fraser River and the water?—North of 49°, north of Fraser River, the country is exceedingly rugged.



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771. I know that your own experience and authority are very great; but do you think that the opinion which you have given of the climate of this territory is the general opinion?—I think so; at least it is my opinion, and I believe it is the general opinion.

772. Mr. Gordon.] If I understand you rightly, you think that no portion of Rupert's Land is favourable for settlement, but that some portions might be settled?—Yes.

773. In your very interesting work of a "Journey Round the World," I find at page 45 of the first volume this description of the country between the Lake of the Woods and the Rainy Lake: "From Fort Frances downwards, a stretch of nearly 100 miles, it is not interrupted by a single impediment, while yet the current is not strong enough materially to retard an ascending traveller. Nor are the banks less favourable to agriculture than the waters themselves to navigation, resembling, in some measure, those of the Thames near Richmond. From the very brink of the river there rises a gentle slope of greensward, crowned in many places with a plentiful growth of birch, poplar, beech, elm, and oak. Is it too much for the eye of philanthropy to discern through the vista of futurity this noble stream, connecting, as it does, the fertile shores of two spacious lakes, with crowded steamboats on its bosom and populous towns on its borders?" I suppose you consider that district favourable for population?—The right bank of the river is favourable, with good cultivation; that is to say, the soil is favourable; the climate is not; the back country is a deep morass, and never can be drained, in my opinion.

774. Do you see any reason to alter the opinion which you have there expressed?—I do see that I have overrated the importance of the country as a country for settlement.

775. Chairman.] It is too glowing a description, you think?—Exactly so; it is exceedingly beautiful; the bank is beautifully wooded, and the stream is very beautiful.

776. Mr. Gladstone.] What is the character of the Saskatchewan, or of any of the principal branches of it as a stream, with regard to navigation?—There are several long rapids in the Saskatchewan, at various points. I think a steamboat might, with the exception of those rapids, or by cutting canals round those rapids, ascend to Edmonton.

777. That is on the northern Saskatchewan?—It is.

778. What would you say of the southern Saskatchewan?—On the southern Saskatchewan there are fewer rapids.

779. Are there long reaches which are wholly without rapids?—Yes.

780. With a depth ample for navigation?—There are chains of rapids below the junction of the two rivers.

781. At Nepeeween?—Yes; there are two very long chains of rapids; 10 miles at one place, and seven or eight miles at another.

782. Are there any long stretches of water of navigable depth, without rapids, upon the branches of the Saskatchewan?—Yes.

783. What is the longest stretch that you can remember?—Perhaps 50 or 60 miles.

784. Mr. Grogan.] Is it to be understood, then, that except for those rapids the northern branch would be navigable for steamers, as you describe, up to Edmonton?—Yes; at the junction with Lake Winnipeg there is a very long rapid called the Grand Rapid.

785. What may be the length of it?—From two to three miles.

786. Those three rapids which you have pointed out would be the three obstacles to the navigation?—There are several other smaller rapids; there are a great many rapids, but those are the principal rapids.

787. Those are the rapids which you think would require expense to obviate them?—Yes.

788. Supposing that that expense should be incurred, and a canal, as you have suggested, should be formed, would any difficulties of a serious character, sufficient to impede navigation, exist between Lake Winnipeg and Edmonton?—In the spring of the year the water of the whole river is exceedingly low; I have come down in a perfectly light boat, and we have been frequently under the necessity of getting out of the boat to hand it over shoal water.

789. Before the snow has melted?—Before the mountain snow has come down,

down, namely, from about the 10th to the 15th of May; then about the 1st of June the mountain snows melt, and there is a freshet in the river. Sir G. Simpson.

790. From the 1st of June to what time would the navigation of the river continue good?—Until the month of September tolerably good; the water falling off about the middle of July. 26 February 1857.

791. On the southern branch of the Saskatchewan to what extent would it be navigable, supposing those improvements were effected?—I cannot speak so distinctly with regard to the southern branch; I have merely seen it in parts; I have not gone up the southern branch to any great distance. There is no timber on the southern branch, and there is very little timber on the northern branch.

792. There have been no attempts, I suppose, to effect those improvements?—None at all; there is no commerce to justify any outlay.

793. What is the distance from the southern part of Lake Winnipeg to Fort William on Lake Superior?—About 500 miles, I think; from Lake Superior to Lake Winnipeg is about 500 miles of bad canoe navigation with 66 portages, varying in length from 100 yards to 3½ miles.

794. Do you know a gentleman of the name of Captain Kennedy who made a speech at a meeting of the Toronto Board of Trade?—I do.

795. He states there that the distance would not exceed 200 miles?—Yes; he does not know the country; he never was in the country.

796. What may be the state of the river going through Rainy Lake and from the Lake of the Woods down to Fort William; is it navigable for boats, or rafts, or anything?—Between the Rainy Lake and Fort William it is navigable only by canoes; I have passed through that country about forty times; it is passed only by canoes, and in many places with very great difficulty.

797. Is that from want of water?—From want of water and shoals in the navigation, and the wretched character of the country altogether; many of the rivers are embarrassed with timber constantly falling every year; there is one river which is one continuous mass of timber, requiring to be removed every season.

798. Mr. Edward Ellice.] Is that what is called the Savanne portage?—Yes; that is a river from the Savanne portage to Mille Lac.

799. Mr. Grogan.] Do you consider that obstruction so material as to impede the navigation of that river?—Yes.

800. Could not it be removed?—It could not; in the autumn of the year, or rather in the month of August, I have been obliged to get out of a light canoe and wade in the water, handing the canoe along this river.

801. Has any attempt ever been made to remove those obstructions?—The obstructions are removed every season, so as to enable the canoes to pass.

802. You mentioned, with regard to the Red River Settlement, that the climate was so unfavourable for the growth of corn, and that there was so much uncertainty as to the ripening of the corn, that at times you were obliged to import corn for the supply of the residents there?—We imported corn some years ago; there was a failure of the crops; I was apprehensive of famine, and imported flour from St. Paul's, in the Minnesota territory, and from Canada.

803. Is that an exceptional case, or does it occur every year?—It does not occur every year; it is an exceptional case; but the crops very frequently fail. We have been obliged to send for seed grain; we have not had sufficient grain to sow the ground in the following season.

804. Can you say, during the 37 years that you have been Governor, how often you have been under the necessity of importing corn for the supply of the people at the Red River Settlement?—We had never imported any large quantity of grain for the support of the people until that season, in the year 1847, I think; but the crops have been entirely destroyed, from the country having been overflowed with water. The country was entirely overflowed with water in the year 1826; the habitations were swept away, and the people were obliged to remove to high grounds for the purpose of saving themselves.

805. Am I to understand that the occasion to which you refer was an entirely exceptional one, and owing to the flooding of the water?—It did not arise on that occasion from the flooding of the water, but from an apprehended scarcity owing to the presence of troops. In 1826 the country was flooded and the

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crops were destroyed. Several years previously to that the crops were destroyed three years in succession by locusts; myriads of locusts ate up every particle of grass.

806. In what year was that?—In the years 1818, 1819, and 1820.

807. You have mentioned one instance in which corn was imported in some quantities, you say not considerable?—Flour was imported.

808. For the supply of the inhabitants at the Red River Settlement?—Yes.

809. Is that the only instance?—That is the only instance where we have imported; it was especially for the garrison. We had a wing of a regiment there, and were apprehensive that the crops would be insufficient for their maintenance.

810. In other years has there been a sufficiency of corn grown in that district in general for the supply of the locality?—Certainly not; two-thirds or fully half of the population live by hunting and fishing.

811. Are the settlers there encouraged in regard to hunting and fishing pursuits generally, to follow those pursuits rather than agriculture?—No; we are very anxious that they should follow their agricultural pursuits.

812. Does the Company purchase their flour?—Yes.

813. The Company purchase flour at the Red River Settlement, from the farmers in the neighbourhood?—We purchase all their surplus agricultural produce.

814. Do you mean that the farmers have no more to sell than what you purchase, or do you only purchase what you want?—They have no more to sell: they have only 8,000 acres of land under cultivation at the present time, although the country has been settled upwards of 40 years.

815. I suppose it was during the time that you were Governor that a certain Mr. John McLean, who has published "Notes of a Twenty-five Years' Service in the Hudson's Bay Service," was a servant of the Company?—Yes, he was so a part of the time.

816. I will read you an extract as taken from his book, and you can say how far it is correct. "A single Scotch farmer," says Mr. McLean, "could be found in the colony able alone to supply the greater part of the produce the Company require; there is one in fact who offered to do it; if a sure market were secured to the colonists of Red River they would speedily become the wealthiest yeomanry in the world; their barns and granaries are always full to overflowing; the Company purchase from six to eight bushels of wheat from each farmer, at the rate of 3s. per bushel, and the sum total of their yearly purchases from the whole settlement amounts to 600 cwts. flour, first and second qualities; 35 bushels rough barley; 10 half firkins butter, 28 lbs. each; 10 bushels Indian corn; 200 cwt. best kiln-dried flour; 60 firkins butter, 56 lbs. each; 240 lbs. cheese; 60 hams. Where he (the Red River farmer) finds a sure market for the remainder of his produce, Heaven only knows, I do not; this much, however, I do know, that the incomparable advantages this delightful country possesses are not only in a great measure lost to the inhabitants; but also the world, so long as it remains under the dominion of its fur-trading rulers." Do you agree in the comment of Mr. McLean there?—Certainly not.

817. In point of fact, do the Company purchase from the farmers settled in the neighbourhood of the Red River Settlement, all the corn the farmers are able to sell?—We are not able to get the quantity of corn to be held in depôt that we require. I have written over and over again to the person in charge, to get all the grain he could for the purpose of being held in depôt, and we can never get our quantity.

818. Mr. Gordon.] Will you allow me to remind you of one other sentence in your interesting work. It is at page 55 of volume 1: "The soil of Red River Settlement is a black mould of considerable depth, which, when first tilled, produces extraordinary crops, as much, on some occasions, as 40 returns of wheat; and even after 20 successive years of cultivation, without the relief of manure or of fallow, or of green crop, it still yields from 15 to 25 bushels an acre. The wheat produced is plump and heavy; there are also large quantities of grain of all kinds, besides beef, mutton, pork, butter, cheese, and wool in abundance." Do you adhere to that statement?—I do.

819. And yet you think it unfavourable for cultivation?—Yes. I there referred to merely a few small alluvial points occupied by the Scotch farmers.

820. Mr.

820. Mr. *Adderley*.] What is the nature of the wood growing in the woody district?—There has been elm at Red River. It is now quite denuded of wood about the Red River Settlement by fire.

821. I refer to the higher part about James's Bay; what is the nature of the wood there?—Small stunted pines.

822. What is the highest latitude at which fine timber grows?—I cannot tell precisely; there is very little timber on the shores of the Bay to the north, 100 miles north of Churchill. On the eastern side of the Bay there is very little timber north of Big River, or Fort George on James's Bay.

823. When you get to those fine elm forests, is it not very fine timber?—That is in the prairie country. There was some very good timber about Red River at one time.

824. Is the natural wild growth of the prairie country good?—In some parts.

825. Is it very luxuriant?—In some parts; in other parts the soil is exceedingly thin, and there is very little herbage.

826. What should prevent cultivated produce growing equally luxuriantly on the same spot?—Immediately behind Red River, about a mile from the banks of the river, there is merely a thin skin of soil.

827. Is there any luxuriant herbage, either grass, herbs, or fruit of any kind, at a greater distance from the river than you have mentioned?—I think not, except in detached spots. There has never been any cultivation a mile from the river.

828. Would not many of the impediments which you have alluded to be got rid of by art and cultivation?—Certainly not.

829. It is impossible?—It is impossible; I have paddled over the roofs of some of the houses in my canoe.

830. Do you say that you never knew any wild country in which the climate was softened by drainage?—I have heard of the climate of countries being improved by drainage, and settlement and cultivation; but I have not experienced it myself.

831. Are you aware that Europe was once as much frozen as Rupert's Land now is?—I am not aware that it was; I have heard of some historical facts.

832. Can you state the present population of Red River, and the increase in the last 10 years?—The population of Red River is about 8,000.

833. In what time has it doubled?—The settlement has been established 40 years.

834. We had a statement from a former witness that, 10 years ago, the population was 5,000; can you state whether that is correct?—It may have been; the population is now about 8,000. It is not from natural increase, but from the migration of some Indians from other parts of the country.

835. Is there not always emigration in the shape of a squatting population from the United States?—Not from the United States.

836. Where from?—The neighbouring districts; Indian migration.

837. Should you say that there was much difference between the climate of Minnesota and that of the Red River?—Decidedly, the further south you go the better the climate is.

838. And do you state that there is no overflow of population from Minnesota to Red River?—I am not aware of any; I believe two or three Americans have gone from St. Paul's, who have seated themselves down as small dealers and opened shops.

839. Is there any barrier to their doing so from the nature of the Red River Settlement regulation?—None.

840. Mr. *Kinnaird*.] Are there not westward from the Red River colony several hundred miles of level country towards the Rocky Mountains?—Yes, a very fine country.

841. And, comparatively speaking, a railway might easily be made along there?—Yes, from the Red River to the Rocky Mountains.

842. How far are the large rivers from the settlement of York navigable up the interior?—They are navigable by boats from York Factory to Lake Winnipeg; boats carrying about three tons.

843. Without much portage?—There are a great many portages; there are from 40 to 45 portages, I think.

844. Could they easily be removed?—No.

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845. Mr. *Edward Ellice*.] I think that at those portages every thing is literally carried on men's backs?—Yes.

846. Mr. *Kinnaird*.] Did you not, after that interesting extract from your book, recommend to the Company the establishment of a settlement somewhere between the Lake of the Woods and the Rainy Lake?—No; I suggested, that a missionary establishment might be formed there.

847. Which would attract settlement?—Merely for the improvement of the Indian population.

848. You recommended it as a place adapted for a missionary station; which, in other words, would be adapted for a settlement?—A missionary settlement would live by fishing in a great degree; they could not only raise produce but fish, and give their time and attention to hunting during the winter.

849. Are you not aware that the whole of the manure which is made in the Red River Settlement is wasted, because it is not required for the improvement of the land, it being so fertile?—Some improvident, careless people, who know very little about cultivation, rather than take the trouble of collecting their manure, throw it over the side.

850. I believe it is not required?—In some parts it is required; in the low alluvial points it is not required; the low alluvial points which are improved year by year, or every second or third year, from the overflowing of the river, require no manure.

851. Mr. *Bell*.] What communication is there on the shores of the Saskatchewan towards Edmonton; what is the nature of the country?—The country is level; it is a rolling prairie.

852. It is a practicable country?—Yes; I have travelled on horseback through the whole of that prairie country. I have travelled from the Red River to the Columbia on horseback.

853. Mr. *Gurney*.] I understand you to have spoken of the right bank of the river of the Rainy Lake; by the right bank, do you mean the southern bank or the northern bank?—Going down the stream; the north-eastern bank.

854. Going down the stream would be rather the southern bank?—No, north-east; the opposite side is south-west, the American bank.

855. Does not that bank belong to the United States?—No, the right bank of the Rainy Lake River is British territory; the river divides the territory; the right bank, going down the stream from the Rainy Lake to the Lake of the Woods, is British territory.

856. The opposite bank is American?—Yes.

857. Then the right bank is what would rather be the northern bank on this map?—The north-eastern.

858. Opposite the southern part of Vancouver's Island there is a place on the maps marked Fort Langley?—That is at the mouth of Fraser River.

859. I believe you mentioned that there was no very good land between Fraser River and the coast; but how is the land immediately inland from Fort Langley, between Fraser River and the American boundary?—The boundary is Fraser River, or very nearly so.

860. Mr. *Charles Fitzwilliam*.] Does not Fraser River run north and south?—I think the boundary is very near Fraser River, at the mouth of Fraser River.

861. Mr. *Gurney*.] My object was rather to inquire whether Fort Langley was in any way the centre of a small district of good land?—No, it is near the southern boundary of the British territory.

862. What is the character of that district?—All the way down Fraser River to within about 50 miles of Fort Langley, it is an exceedingly rapid river.

863. What is the nature of the land eastward from Fort Langley, inland?—A short distance to the eastward is level; there is a mountainous country higher up the stream.

864. Therefore there is a space of level land immediately inland from Fort Langley?—Yes.

865. Is the mouth of the Fraser River at all available as a port or outlet?—No; there is a bar at the mouth of the river; vessels with a small draught of water would take the ground.

866. That bar could not be easily removed?—It would fill up again immediately.

867. Mr.

867. Mr. *Charles Fitzwilliam*.] Do you know what the water on the bar is? —I think about eight or nine feet. Sir G. Simpson.

868. Mr. *Lowe*.] Which do you consider the best way to the Red River Settlement from Europe?—Through the United States, by Minnesota. 26 February 1857.

869. By St. Paul's?—By St. Paul's.

870. From Canada, which do you consider the best way?—By Lake Superior, Fort William and Rainy Lake, into Lake Winnipeg, and then on the southern side of Lake Winnipeg.

871. Is that the way you went yourself?—Forty times I passed over that ground.

872. Mr. *Bell*.] Is there any other practicable route from Canada to the Red River?—No other.

873. North of Lake Superior inland?—There is no other practicable route.

874. What has induced you to change your opinion since you wrote that passage in your journey with regard to the nature of the climate and the soil, and its applicability for cultivation, because I observe that you had been 20 years in the country when you wrote that passage?—I had never given particular attention to the climate of the country, nor to the fact of the country being one continued morass behind, until after my narrative was written; the Company have a farm at the outlet of the Rainy Lake at the commencement of the river, and our crops very frequently fail.

875. Mr. *Edward Ellice*.] At Red River Settlement, owing to the great uncertainty of the crops, do not the Company keep two years' consumption of grain on hand in case of accident?—Yes, that has been our object; we never can get up a stock of grain.

876. With regard to those floods which you have spoken of, are you not aware that they have happened repeatedly on former occasions?—Yes; there was a flood upon one occasion, a few years previous to 1820, on my first visiting the country. In 1826 the whole country was one continued sea.

877. And in 1848, I think?—Yes, about 1850 or 1851 there was another flood.

878. To give the Committee an idea of those floods, what did the breadth of the river increase to?—There was no river; it was a continued sea for hundreds and hundreds of square miles.

879. With regard to the farming at Red River, do you consider it the interest of the Company to promote agriculture there?—It is very desirable, for the purpose of furnishing ourselves with the means of living.

880. Have the Company been in the habit of giving encouragement to agriculture at Red River?—We have promoted agriculture by every means in our power.

881. Have the Company established model farms?—We did establish a model farm.

882. Have the Company taken out stock on purpose to promote and improve the breeds?—Yes; the most improved breeds of cattle and horses and sheep.

883. You told us about the character of the territory in Rupert's Land and in Oregon, but you have said nothing of the character of the land in the part of Canada occupied by your posts, and more especially the part between Sault St. Mary and Fort William; what is the character of the country on the north side of Lake Superior between those points?—It is a very craggy, barren, rugged country; a surface of rock.

884. Viscount *Sandon*.] You are well acquainted, I imagine, with the Assiniboine branch of the Red River?—Yes.

885. Will you state to the Committee how far it is navigable?—There are shoals and rapids at the very commencement of the stream.

886. For what distance?—From the Forks where it unites with the Red River, I think about three miles, there is the first rapid; and 20 or 30 miles higher up a further rapid, and above that there are very frequent rapids.

887. So that it is in fact unfitted for navigation?—Quite so.

888. What is the character of the land along the banks of that river?—The land is pretty good immediately along the banks.

889. I think the land is cultivable nearly to the sources of the Assiniboine river; immediately upon the banks.

890. That is for a distance of about 150 miles?—Yes.

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891. A former witness has stated that the Americans are extending their settlements very rapidly towards the Red River, and that numbers have crossed the boundary; do you imagine that fact to be correct?—I am not aware of any American settlers having crossed the boundary.

892. Would you have the means of knowing?—Yes, decidedly; I think the nearest settlement of the Americans is at the Crow Wing River, one of the branches of the Mississippi.

893. *Chairman.*] How far is that off?—I think perhaps 350 to 400 miles.

894. Mr. *Charles Fitzwilliam.*] Does the Crow Wing run below St. Peter's River or above it?—It falls into the Mississippi above St. Peter's; above the falls of St. Anthony; the Crow Wing River is above St. Paul's.

895. Mr. *Gladstone.*] Is St. Paul's near the junction of the St. Peter's with the Mississippi?—Yes.

896. Where is the Crow Wing?—The Crow Wing is about 100 miles nearer Red River, I think; it is not marked on this map.

897. Mr. *Kinnaird.*] Is there not a settlement at Pembina?—Yes. I call the settlement of Pembina an offshoot from Red River; it is principally inhabited by half-breeds from the settlement of Red River.

898. It is in the United States territory?—It is on the frontier.

899. Therefore, in fact, there is an American settlement nearer than you have stated?—No; I think they are settled within the British territory. I am not aware that they are outside the line.

900. Does not Fort Pembina belong to the Americans?—There is no fort at Pembina. Fort Pembina is an old trading establishment of the Hudson's Bay Company.

901. Mr. *Grogan.*] But does Fort Pembina belong to the Hudson's Bay Company or to the Americans?—Fort Pembina did belong to us.

902. To whom does it belong now?—There is no Fort Pembina now.

903. I mean the settlement, or the station, or whatever you please to call it?—I think the settlers are upon both sides of the line.

904. Viscount *Sandon.*] You imagine that the nearest American settlement is on the Crow Wing River?—I consider that an American settlement because there is an American population. I consider it the nearest American settlement.

905. If it was proved that there were American settlers coming in considerable numbers to the British boundary you would think that a considerable argument in favour of the goodness of that territory, would you not?—I do not think they would go to the Red River from the United States or anywhere else for the purpose of settlement.

906. I only asked you whether, supposing that was proved, you would not regard it as a considerable argument in favour of the character of the territory?—Yes; but I should not agree in that fact.

907. Mr. *Blackburn.*] Provided that they settled for the purpose of agriculture?—Yes; but I am satisfied that they will not do so.

908. Mr. *Charles Fitzwilliam.*] You say that the north shore of Lake Superior is barren and rocky?—It is, except at the outlets of the rivers; the general character is rugged and barren, and a surface of rock and water and swamp.

909. Is there any timber immediately on the shore of Lake Superior?—Very little; scarcely any; it is all burnt; it is a burnt wood country.

910. Burnt by what?—By fires having overrun the country; the greater part of the thick wood country is overrun by fires.

911. Of what wood are those the remains; is it a fir wood?—It is a small description of fir.

912. What is the breadth of that belt of timber?—It extends from the shores of Lake Superior to the shores of Hudson's Bay.

913. Without any intermission?—Yes; except by lakes. I think there is a larger surface of water than of land in the whole of that thick-wood country.

914. When you get from Lake Superior, and travel north, do not you come to any country which is timbered with maple and oak; soft wood?—At the River Kamenistiquia falling into Lake Superior at Fort William, for 20 miles, I think there is a good deal of maple, and perhaps a small quantity of oak; I have not noticed oak.

915. That

915. That wood grows on the valley of the Kamenistiquia?—Yes; that is Sir G. Simpson.  
 Sor, barely 20 miles.
916. I do not mean so far to the west as that; there is a place called the 26 February 1857.  
 Pic?—Yes, it is a perfectly barren post; it is sand upon the beach and rock behind.
917. It is a mineral country, though, is it not?—Yes; all along the eastern shore of Lake Superior is a mineral country.
918. There is copper?—Copper.
919. And iron?—Yes.
920. And the vegetation is pine wood?—Yes.
921. When you go through a belt, say of two miles of that country from the shores of the lake, do you not then come to a maple and oak vegetation?—Certainly not. There may be patches here and there on the banks of the river of maple, but in a very small quantity.
922. The country rises from the bank of the shore of Lake Superior, does it not?—Yes; to the watershed.
923. You come into a country filled with small lakes and morasses?—Yes.
924. How are those lakes formed?—They have been lakes from the beginning of time, I believe. These basins are formed by large quantities of snow, and the morasses are very deep, and the season is not sufficiently long to dry them up.
925. Are there not some artificial reasons for that, as there are on the south shore of Lake Superior?—No; I am not aware of any.
926. Dams of different sorts?—No.
927. Then it is not of the same nature as the shore on the southern side of Lake Superior?—I am not aware that the waters are dammed on the southern shore.
928. With regard to Frazer River, you said that the country on the mainland was generally unfavourable for cultivation?—Yes.
929. But there are farms at Fort Langley, I think?—There is a farm at Fort Langley.
930. Mr. *Edward Ellice*.] To what extent; how many acres?—Perhaps about 20 acres.
931. Mr. *Charles Fitzwilliam*.] But there is plenty of room for more?—Yes.
932. *Chairman*.] There is some extent of ground there fit for cultivation?—Yes, at Fort Langley.
933. What extent should you say?—Perhaps several hundred square miles.
934. What sort of cultivation; would it grow wheat?—It might grow wheat.
935. Is it as good as the southern portion of Vancouver's Island?—Not so good, I should think; it is a more moist climate.
936. It is not so good in point of climate?—I should think not.
937. Mr. *Charles Fitzwilliam*.] Is not the drought at the southern end of Vancouver's Island, rather a drawback to cultivation in the summer time?—I am not able to speak to Vancouver's Island.
938. Is the country round Fort Langley of the same character as that between Nisqually and Frazer River?—No, it is a more thick-wood country; from Nisqually to very near Frazer River, is a prairie country, with patches of wood.
939. Or rather a woody country with patches of prairie?—Yes.
940. Is the country to the north of the British line like the country about Nisqually?—No; it is a thick-wood country.
941. Still, with small prairies?—No; I think the prairies are not so frequent.
942. Mr. *Grogan*.] You have described to us the countries as having been visited by very severe floods; was there any particular cause, such as an early spring, or the sudden melting of the mountain snows, which occasioned it?—Yes; there was severe weather until the season was far advanced, and the sun burst out with great power.
943. And this great extent of flood was the overflow of the rivers?—Yes.
944. To which of the rivers do you principally attribute the flooding?—It was all over, not only Red River, but the whole of the country.
945. Generally through the whole district?—Yes, the York River and Moose River; they were obliged to get their goods out of the stores and put them on stages, for the purpose of being saved from the flood.



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946. Then those particular floods were not local; in fact, in the neighbourhood of the Red River?—No.

26 February 1857. 947. They were general through the country?—Yes.

948. With regard to the Red River Settlement, was that settlement more damaged or more exposed to flood than any other part?—It was; it was more exposed and more injured, because there was a larger population.

949. The Red River discharges itself into Lake Winnipeg?—Yes.

950. Is there any obstruction to the river going into the lake?—No.

951. Or to the waters of the lake finding their way into the sea?—No. The lake was overflowed, which rendered it necessary to remove our establishments from the lower end of the lake.

952. Would the existence of those 47 portages which you described as on York River, up to Lake Winnipeg, in any way conduce to damming up the waters, and flooding the country?—Lake Winnipeg empties itself into Nelson River, a little way to the northward.

953. Are there any obstructions on that river which would tend to dam up the waters of Lake Winnipeg?—None at all.

954. Mr. *Edward Ellice*.] Is it not the general flat nature of the country which causes the flood?—Yes.

955. There is not declivity enough to carry off the water?—Just so.

956. Mr. *Bell*.] The same as in the neighbourhood of Lyons, in France?—Yes.

957. Mr. *Gordon*.] When did the last great flood occur?—In 1851.

958. Mr. *Bell*.] Do you know the neighbourhood of Fort Alexander?—I do.

959. What sort of country is it?—The back country is thick wood country; the timber is pine, and there is a great deal of swamp; it is a swampy country.

960. Mr. *Gladstone*.] With respect to the wheat at the Red River Settlement, at what period do they sow?—They sow in the early part of May, I think.

961. And when do they reap?—In August.

962. Is the harvest pretty good, or is it overtaken by the winter, without having sufficient sun to ripen the corn?—The crops are usually, or always, secured before the winter sets in.

963. From whence did the Hudson's Bay Company bring the corn and other provisions for its servants before the Red River Settlement was founded?—Very little grain was used in the country previously to that time. The provisions used in transport were pemican, a compound of buffalo meat and tallow; the buffalo meat dried upon stages, and ground down, and mixed up with the fat of the animal.

964. Then it was almost entirely animal food?—Animal food and fish.

965. Mr. *Edward Ellice*.] Is it not in a great measure so now?—Yes, in travelling to the northward.

966. Mr. *Gladstone*.] Was there no regular import of grain or other vegetable produce into the Hudson's Bay territory before the Red River Settlement was founded?—Merely for the use of the establishments upon the coast, and for the Indians near those establishments.

967. From whence was that grain brought?—From England.

968. By the Hudson's Bay Company?—Yes, through Hudson's Bay.

969. You do not consider that the Hudson's Bay-route is the most economical or convenient route, in a commercial sense, for connecting the Hudson's Bay country with England, do you?—No great extent of traffic can be carried on through Hudson's Bay, inasmuch as the season is exceedingly short; the Bay is never free of ice.

970. How long is it open?—About two months.

971. With regard to the Saskatchewan River, are the banks of it tolerably timbered?—There is very little timber on the banks of the Saskatchewan.

972. Is there such a deficiency of timber both on the Upper and Lower Saskatchewan that that of itself would, in your view, constitute a serious impediment to settlement?—Decidedly; throughout the whole of that prairie country, from parallel 49° northwards, I think the want of fuel would be a great drawback to settlement.

973. Is not the Red River country pretty well timbered?—It was pretty well timbered, but people are now under the necessity of going further for timber; they go up the river and raft it down 40 or 50 or 60 miles.

974. Are

974. Are the outfalls of Lake Winnipeg exclusively into Hudson's Bay?— *Sir G. Simpson.*  
Yes.

975. Are there several?—No; the lake empties itself by Nelson River into the sea. 26 February 1857.

976. Entirely?—Yes.

977. *Mr. Kinnaird.*] You say that there is no timber on the Saskatchewan River?—There is very little timber.

978. Has any search been made for coal in that district?—Yes; an inferior description of coal, a lignite, has been found near Edmonton.

979. *Mr. Bell.*] You say there is very little timber in that country; I find that in your Journal of a Journey from the Red River Settlement across the Rocky Mountains, you constantly describe the country in this way; "Picturesque country, lakes with gently sloping banks, the greensward crowned with thick woods;" then you say, "Beautiful country, lofty hills, long valley, sylvan lakes, bright green, uninterrupted profusion of roses and blue-bells, softest vales, panorama of hanging copses"—Yes, there were a great many flowering shrubs.

980. Then you say that within a day's march of Carlton, on the Saskatchewan, in latitude 53°, there were large gardens and fields, and an abundance of potatoes and other vegetables?—Yes.

981. I understood you to say that there were no woods in that country?—There is a very small quantity of wood, insufficient for the purposes of a large population.

982. About Edmonton, as to the pasturage, your remark is that it is luxuriant, and that the barley is very productive?—Yes, it is very good.

983. *Chairman.*] Will you state to us the system under which the country is managed, with regard to trade and government, with reference to the Indian population; in short, the machinery which is employed; how many officers and servants altogether are employed by you in the management of the territory of the Hudson's Bay Company?—There is the governor-in-chief, to begin with; there are 16 chief factors, who are the principal officers, members of our council; 29 chief traders, five surgeons, 87 clerks, and 67 postmasters; the last rank between the labouring man and the clerk.

984. How many are employed at your trading posts?—Those people are all employed at our trading posts.

985. How many other agents are there employed at your trading posts?—We have no other agents; we have servants.

986. How many servants have you?—There are about 1,200 permanent servants.

987. Does that include voyageurs and people of that sort?—No; there are about 500 voyageurs, and other temporary servants beside.

988. *Mr. Edward Ellice.*] How many are employed besides those occasionally?—There are 150 officers and crews of vessels.

989. What number of persons do you think the Company gives employment to in the trading season?—Perhaps about 3,000.

990. *Mr. Kinnaird.*] Is that exclusive of Indians?—That is including Indian labourers.

991. *Chairman.*] Do you mean hunters?—After the hunting season is over the Indians are frequently employed as boatmen or canoemen; as temporary servants.

992. You do not include in that number, I presume, the Indian population employed by the people from whom you purchase furs?—No.

993. What number of Indians do you calculate are living in the whole of the Hudson's Bay Territory?—The Indian population of Rupert's Land we estimate at 42,840.

994. When was that calculation made?—This season; I collected from different data all the information within reach when I understood that I was required to leave Canada.

995. In the rest of the territory what are the numbers?—In the Indian territory, east of the Rocky Mountains, 12,730; west of the Rocky Mountains, 80,000.

996. What is the whole amount of Indian population within the territories of the Hudson's Bay Company?—139,000.

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997. Does that include the Indians in Vancouver's Island?—Yes.

998. Since you have known that country, has that number been on the increase or the decrease?—For two or three years previous to 1820 there was a great mortality in the northern parts of the country, in the thick wood country, from small-pox and measles; that was in 1816, 1817 and 1818. After that period we introduced vaccine inoculation, and the small-pox has been unknown in the country since then.

999. Since that period, do you believe that the number of the Indians have increased or decreased?—I think the number of the Indians in the thickwood country has increased.

1000. Take them as a whole?—In the prairie country I think they have decreased owing to wars and small pox.

1001. By wars you mean wars among themselves?—Yes.

1002. Mr. *Edward Ellice*.] Those are the Indians on the frontier?—Yes, the Blackfeet tribes; they are principally American Indians.

1003. *Chairman*.] What do you mean by the thickwood country?—The thickwood country is a very extensive district of country lying 300 or 400 miles inland round Hudson's Bay; that is to say, to Lake Winnipeg, to the barren grounds and to the height of land dividing the St. Lawrence or Canada from Rupert's Land; that is the thickwood country.

1004. To what do you attribute the difference which you state to have existed in the number of the Indians; the number you say has not diminished in the thickwood country, and has diminished elsewhere?—In the thickwood country they are more under our own care, under our own eye; we have a certain control over them; among the prairie Indians we have no control.

1005. Do you mean that there are not wars between themselves in the thickwood country?—There are no wars, and there is no loss of life arising from wars. There has been no small-pox; the country has been healthy, and the means of living, if not very abundant, have been sufficient.

1006. To what extent have you been able to prevent the introduction of spirits among the Indians?—Spirituuous liquors have never been used as a medium of barter for furs, within my knowledge.

1007. What is your system with regard to the Indians in connexion with the fur trade?—Our mode of management is this: the Indians are usually outfitted from the establishment in the fall of the year with such supplies as will enable them to get through the winter in comfort and make their hunts.

1008. How do you pay them for the furs which they bring?—We pay them by barter entirely: money is not known in the country; they do not know money; it is a barter trade on a tariff of very old standing, varied from time to time according to circumstances.

1009. Do you ever encourage them to resort to agriculture under any circumstances, when it can be done?—Always; we have encouraged them by every means in our power.

1010. Where?—At the Rainy Lake, Cumberland, Swan River, Norway House, and the seats of all the missions. We are exceedingly anxious that they should give their attention to agriculture.

1011. Have they to any extent adopted agriculture?—Not to any material extent; they have a distaste for field labours.

1012. You state that there are wars in some parts of the country between different tribes of Indians?—Yes.

1013. I believe you have managed to preserve peace as between the red man and yourselves?—Decidedly.

1014. It has been almost entirely preserved?—Yes; for 37 years, during which I have had the principal management, there have been very few cases of crime, considering the character of the population and the extent of the country.

1015. I believe during the last few years there has been a warfare of the most dreadful description carried on between the inhabitants of the United States in Oregon and the Indian tribes in that neighbourhood?—There has been.

1016. It has extended to your frontier, has it not?—Yes.

1017. But has never passed that frontier?—It has not gone beyond; we have sufficient influence with the Indians in the British territory west of the mountains to keep them out of it.

1018. In

1018. In what way is justice administered in that country which is under your control?—As nearly as possible according to the laws of England; we have a very competent legal officer, who fills the office of recorder at Red River Settlement. Sir G. Simpson.  
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1019. Supposing an outrage takes place in a distant part of the country, what happens?—The case would be tried probably at Red River or at Norway House.

1020. How can that be done; when a murder, for instance, takes place in a very distant part of the country, what is then done?—In one case three parties who were concerned in a murder were removed to Canada for trial, all the way from Mackenzie's River, at great difficulty and great expense.

1021. I suppose in very distant parts of the country you administer justice as best you may?—In many instances we have brought cases to Red River, where the parties have been regularly tried by jury.

1022. For minor offences what proceedings do you adopt practically?—The Indian is reprimanded and held in disfavour for some time.

1023. Mr. *Edward Ellice*.] Will you illustrate that answer by giving a case which occurred at Norway House recently?—Some Indian lads broke into one of our stores and they were regularly tried, and two of them were transported from their own district 300 miles off to another district; that was the entire punishment; it was, in fact, no punishment; they were also severely reprimanded.

1024. *Chairman*.] What system do you adopt in the way of preserving discipline and proper subordination among your own officers, scattered over this vast extent of country, at the different posts?—I do not know that there is any particular discipline; we generally contrive to have respectable men; our officers are always highly respectable men, and we generally keep orderly servants; our servants are orderly and well conducted.

1025. Do you take care to keep a pretty strict supervision over them, and does their advancement depend altogether upon their conduct?—There is a very strict supervision.

1026. Besides your own territory, I think you administer a portion of the territory which belongs to Russia, under some arrangement with the Russian Company?—There is a margin of coast marked yellow in the map from 54° 40' up to Cross Sound, which we have rented from the Russian-American Company for a term of years.

1027. Is that the whole of that strip?—The strip goes on to Mount Saint Elias.

1028. Where does it begin?—Near Fort Simpson, in latitude 54°; it runs up to Mount St. Elias, which is further north.

1029. Is it the whole of that strip which is included between the British territory and the sea?—We have only rented the part between Fort Simpson and Cross Sound.

1030. What is the date of that arrangement?—That arrangement, I think, was entered into about 1839.

1031. What are the terms upon which it was made; do you pay a rent for that land?—The British territory runs along inland from the coast about 30 miles; the Russian territory runs along the coast; we have the right of navigation through the rivers to hunt the interior country. A misunderstanding existed upon that point in the first instance; we were about to establish a post upon one of the rivers, which led to very serious difficulties between the Russian-American Company and ourselves; we had a long correspondence, and, to guard against the recurrence of these difficulties, it was agreed that we should lease this margin of coast, and pay them a rent; the rent was, in the first instance, in otters; I think we gave 2,000 otters a year; it is now converted into money; we give, I think, 1,500 *l.* a year.

1032. Mr. *Charles Fitzwilliam*.] What otter is that?—The land otter from the east side of the mountains; we now pay 1,500 *l.* a year for the use of this margin of coast.

1033. *Chairman*.] Is it a lease for a term of years?—I think the term was originally 10 years.

1034. Mr. *Kinnaird*.] Have you the whole care of it, or are there Russian officers in the territory?—We have the entire care of it.

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1035. Mr. *Edward Ellice*.] That was maintained through the last war, was it not, in order that there should be no disturbance among the Indians?—  
26 February 1857. Yes.

1036. *Chairman*.] Was any inconvenience sustained before this arrangement was made with regard to the management of the Indians, inasmuch as it was found that spirits were introduced among them by parties competing with one another for the fur trade?—Yes, there was a great abuse of spirituous liquors.

1037. Was that the main inducement to you and to the Russian Company to make this arrangement?—It was not the principal inducement, but it was one of the inducements. A year or two afterwards I entered into an arrangement at Sitka with the Governor of Sitka that the use of spirituous liquors should be entirely prohibited. A murderous scene took place under our own eyes at Sitka, arising from a debauch among the Indians, and we came to an agreement then that liquor should no longer be introduced into the country.

1038. Mr. *Kinnaird*.] Has that agreement been rigidly kept on their part?—It has been rigidly kept, I believe, by them as well as by us.

1039. Mr. *Gordon*.] With regard to the administration of justice, is it not the case that under the Acts by which the Company exercise jurisdiction, viz., the 43 Geo. 3, and the 1 & 2 Geo. 4, the Company are bound, under a penalty of 5,000 £, to transmit cases of felony for trial to Canada?—The ex-recorder of Rupert's Land will be here in the course of a day or two, and I should rather prefer that he should answer the question, and explain all matters connected with the administration of the law.

1040. I suppose you would also wish to defer till the recorder is here, the answer to the next question which I should put, viz., how often that had been done?—There have only been two cases transmitted to Canada in my time; one is the case of those Indians in Mackenzie's River, a few years ago, of whom I spoke.

1041. How long has there been a recorder established at the Red River?—In 1839 the first recorder was appointed there.

1042. Mr. *Grogan*.] What was the name of the recorder in 1839?—Adam Thom.

1043. Mr. *Gordon*.] How was justice administered previously to a recorder being appointed?—There was never a criminal case within my recollection previously to 1839, except the case to which I am alluding, in Mackenzie's River.

1044. With regard to the introduction of spirits into the territory: are spirits allowed to those who are in the employment of the Company?—I may say that the whole importation of spirits, from the year 1847 to the year 1856, averaged under 5,000 gallons into the whole country.

1045. Are spirits habitually allowed to be used by the servants in the employment of the Company?—Certainly not.

1046. Not for their own use?—Not for their own use; not even the officers in some parts of the country are allowed the use of spirits.

1047. I find it stated in a speech made by Mr. Gladstone, on the 10th of August, 1848, that in the year 1837, about 3,800 gallons of spirits had been imported into the Hudson's Bay territory; and in the year 1845, three years before the date of his speech, 9,075 gallons. From the statement which you have just made, I suppose we must conclude that that proportion has diminished a good deal?—In 1845 the quantity was increased, in consequence of a wing of the sixth regiment having been sent to Red River; it was for the use of the troops.

1048. Then we must not take that as representing an increase or decrease in the consumption?—No; the average since 1847 is 4911 gallons, it is under 5,000. Of that quantity, two-thirds are used by the 8,000 inhabitants of Red River; the remaining one-third, or 1,630 gallons, is all that is allotted for the use of our own servants; for an occasional dram to Indians who are employed in transport with our own servants, and for the purchase of provisions in parts of the country where we cannot get them otherwise.

1049. I find in a report which was made by a Committee of the House of Commons, which was appointed to consider the condition of the aborigines in the British Colonies, a statement that the Coppermine Indians had decreased  
one-half

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one-half; and among other causes which are assigned for that decrease, intemperance is mentioned. Have any but the Company's traders access to that country?—None, except the Company's traders; that statement is not true; no liquor goes there.

1050. Mr. *Edward Ellice*.] Is it not the fact that that is one of the districts into which spirits do not go at all?—No spirituous liquors have been sent northward of Cumberland to my knowledge since 1822.

1051. Either for the Company's servants or for the Indians?—Not for anybody; neither for officers, servants, nor Indians.

1052. Mr. *Gordon*.] Then you presume that the Committee of the House of Commons were misled by the evidence before them?—Decidedly.

1053. It has been stated to me by officers in the army who have travelled in those parts of the country where the Company have stations on the Saguenay River, at Chicoutimi, for instance, that though liquor was not traded with the Indians for furs, yet at the time the bargain was concluded, a certain quantity of liquor was always given to them as a present; does it appear to you that that differs in anything but name from making spirits a portion of the trade?—I think it very likely that on the St. Lawrence, where we are surrounded by opposition, that may have occurred. Where we have opposition, we must, in order to get furs, do as other parties do; but we never sell liquor. Liquor has never been used as a medium of barter. We are opposed on the St. Lawrence by every shipmaster and every pilot and fisherman.

1054. The greater portion of your European servants, I presume, come from England or Scotland; they are not born of white parents in the country?—The greater portion of our white servants are Orkney men; there are a few Highlanders, and a very few Shetlanders; a large proportion of our servants are half-breeds.

1055. With your Indian servants what sort of contract do you enter into; how long is their term of service?—Merely for the trip; merely for the summer. They are sometimes employed as express bearers going with letters, and they are frequently employed as boatmen, mixed with the Company's servants and with the half-breeds.

1056. Is there any provision made for your servants in case of sickness or old age?—There is no provision made for them. They are paid liberal wages, and our servants very frequently save large sums of money for their walk in life. They generally leave the country before extreme old age comes on.

1057. But there is no regular provision for a person who becomes disabled in your service?—There is no provision.

1058. That happens, I suppose, not unfrequently from accidents?—It does happen, and it frequently happens, that the Company, after their return to England, allow them a small pension.

1059. Mr. *Edward Ellice*.] Have you ever known, in any case which was deserving, a small pension refused?—Never.

1060. Mr. *Gordon*.] I suppose this can hardly be considered as administration of justice. I find that in Mr. Alexander the Simpson's "Life of Mr. Thomas Simpson," at page 427, it is stated that the Company has the invariable rule of avenging the murder by Indians of any of its servants, by blood for blood, without trial of any kind. Is that the case?—We are obliged to punish Indians as a measure of self-preservation in some parts of the country.

1061. And without any form of trial?—We seldom get hold of them for the purpose of trial, and they are usually punished by their own tribe. I scarcely know a case, there may have been perhaps a few cases, in which our own servants have retaliated; but the Indians are usually punished by the tribe to which they belong.

1062. Mr. *Gregson*.] What mode have you of ascertaining the population of the Indians?—We have lists of the Indians belonging to various posts; we have compared and checked them with the report of the Government officers who went to Vancouver's Island some years ago, as regards the tribes to the west of the mountains, and with Colonel Lefroy's lists, as regards those on the east side, and we have arrived at this estimate of the population.

1063. You say that you fit out the Indians—is that only for the hunting season?—They do not require any outfit for the summer.

1064. Do they continue throughout the year to be provided for by the Company.

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Company in clothing:—Yes; that is to say, an Indian does not require European clothing; he usually has blankets and a coat.

1065. Do they depend upon you for their support throughout the year:—Entirely, except such as they provide themselves with skins. They are very frequently clothed in skins; rabbit skins and leather; indeed, many of our own servants are clothed in leather.

1066. Mr. Kinnaird.] You stated just now the population in rough; would you have any objection to give in to the Committee a copy of the estimated census of the population which you have made. There are some other parts; can you give us your census of the Red River population; you have got it, I presume, in detail?—I think I have; I am not certain; I took these notes previously to leaving Canada.

1067. I think I heard you say that one vessel or more enters Hudson's Bay for the supply of the colony:—We usually employ two ships to York; one ship to Moose, and another to East Maine.

1068. May ships come and trade at York or Moose Bay, if they choose, on their own account; would every facility be given for other ships besides the Company's ships coming?—Not to oppose us in trade, because we conceive that our charter sufficiently protects us.

1069. You conceive that your charter precludes any other vessels but the Company's vessels trading at York and the Moose River?—Yes.

1070. Under those circumstances might not a larger stock of goods be kept at the Company's store at the Red River, so as to supply the demand there?—We keep in store generally a two years' supply of the most essential articles of trade, to guard against the possibility of loss by the wreck of our ships, or the burning down of our establishments.

1071. Are you not aware that you do not sufficiently supply the Red River Colony with goods?—I think the Red River Colony is usually sufficiently supplied.

1072. I thought that a great caravan annually went down, and got their goods from the United States at St. Louis:—Yes; a caravan goes taking buffalo robes for sale in the United States, and cattle for sale and bringing back tobacco in some cases; they likewise smuggle liquor into the country, and there are other supplies which are to be had cheaper from the United States, than from England.

1073. Mr. Edward Ellice.] With regard to the traders, cannot the traders at Red River get out whatever they like in your ships by Hudson's Bay:—Anything they like except liquor. We object to become the freighters of liquor.

1074. And the traders at Red River may charter ships on their own account, so long as they do not interfere with the fur trade?—Yes; they have never chartered a ship yet, because they get their freight cheaper through the Company than they can by charter.

1075. Mr. Bell.] Have you never refused to take goods for any of the traders of the Red River:—I think on one or two occasions we may have done so; perhaps on one occasion. I am not satisfied of that.

1076. Mr. Gordon.] Was that in the case of a Mr. James Sinclair?—Yes.

1077. Mr. Edward Ellice.] That was when it was in contemplation to interfere with the fur trade?—Yes.

1078. Mr. Lowe.] Will you state what the case was with respect to Mr. James Sinclair:—There was some objection.

1079. What did he want to do:—We objected to bring out goods for him at one time.

1080. What goods did he want you to bring out:—British manufactures.

1081. You objected on what ground:—On the ground that he was to employ them in the fur trade.

1082. Mr. Kinnaird.] The Company does not oppose a passive hinderance to the entrance of goods or of people necessarily?—Not at all; we take their goods out on freight.

1083. If I wanted to bring a mechanic into the Red River, could I do so:—Decidedly; we should afford him a passage.

1084. Then the Company would facilitate the entrance of free labourers of good character who should present themselves, by giving them a passage:—On paying.

1085. Allowing them to have the benefit of the Company's stores upon the terms

terms of the Company's servants?—No, not on the terms of the Company's servants; the Company's servants receive very low wages. Sir G. Simpson.

1086. You have told us, I think, that no other ship would be allowed to trade at York?—Yes. 26 February 1857.

1087. Therefore if I wanted to import a mechanic, you would allow him to come in your ship?—Decidedly.

1088. Might not he trade on the same terms as the Company's servants; might not he buy his things in the same way?—He might buy his things as the other inhabitants of Red River do.

1089. And he might have the benefits of the Company's stores?—Yes; our shops are open to all parties.

1090. He would have to pay for his passage?—Yes.

1091. By a fixed tariff?—There is a regular passage money charged, which I cannot call to memory at this moment. Every facility is afforded; a passage has never been refused to any one that I am aware of.

1092. There is an idea that the Company opposes the settlement of Indians as agricultural labourers or as a Christian community?—It is not the case.

1093. What is the tenure of the land in the Company's territory?—Nine hundred and ninety-nine years.

1094. Is the right of the Indians to sufficient lands for their support recognised?—They occupy lands wherever they please. The Indian has never been required to pay for lands.

1095. Do you pay no chief for the occupation of land yourselves in the Indian settlement?—There is a very old respectable chief, a man who has been very friendly to the whites; we support him principally.

1096. Do you not recognise their holding their possession of land?—No; the land was purchased of them, I think, in the time of Lord Selkirk by a regular purchase; a certain quantity of ammunition and tobacco, and various other supplies being given for it.

1097. What provision is made, or can be made, for the settlement of such as desire to become agricultural labourers, or to live as a community; what would be the facility given by the Company?—They would be permitted to take lands, wherever vacant lands were found, at a price which might be considered nominal; the prices are never exacted.

1098. Is the Indian settlement at the Red River approved of and encouraged by the Company?—Decidedly.

1099. In every way?—In every way.

1100. What provision is made for the instruction of these Indians?—The Church Missionary Society have a missionary in charge of the settlement.

1101. Mr. *Edward Ellice*.] Will you state what religious establishments there are?—In the Company's territory there are 19 missionary stations of the Church of England, 12 Roman-catholic, 4 Wesleyan, and 1 Presbyterian, making a total of 36. In Oregon there is a Roman-catholic mission. On the Gulph of St. Lawrence, one. At Albany and Temiscaming, one. At the Pic there is a Wesleyan missionary. At Fort William there is a Roman-catholic missionary: and at Vancouver's Island there is a Church of England missionary, making in all 42 missionary stations.

1102. Mr. *Kinnaird*.] What provision is made for the chaplain?—The Bishop of Rupert's Land has a salary of 300 *l.* a year from the Company. In aid of schools he has 100 *l.* a year. The bishop's chaplain, at Red River, has 150 *l.* a year. At York, 50 *l.* a year. At Moose, 50 *l.* a year. At East Main, 50 *l.* a year. At Victoria and Vancouver's Island, 200 *l.* a year. The Roman-catholic mission at Red River has 100 *l.* a year. At Oregon, 100 *l.* a year. On the Gulph of St. Lawrence, 105 *l.* a year.

1103. Mr. *Charles Fitzwilliam*.] What do you mean by Oregon; Oregon is in the United States?—We call it Oregon.

1104. Do you give religious instruction to the inhabitants of the United States?—No; there is a Roman-catholic bishop who was taken across by us a good many years ago to Oregon, and he remains there on the promise that he should be allowed 100 *l.* a year.

1105. Mr. *Reebuck*.] Do you pay him?—We pay him 100 *l.* a year now.

1106. And you maintain him in the United States territory?—We give him 100 *l.* a year.

1107. He being in the United States territory?—He being in the United States territory.



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1108. Mr. *Edward Ellice*.] You have possessory rights, I believe, under the treaty?—Yes.

1109. Mr. *Roebuck*.] But has not Oregon been given up by treaty?—By that treaty our possessory rights are retained.

1110. What possessory rights have you?—We have various establishments; pasture grounds; hunting grounds. We claim very large possessory rights.

1111. Mr. *Edward Ellice*.] Have you not also the free navigation of the river?—Yes.

1112. Mr. *Roebuck*.] What do you mean by possessory rights; do you mean rights under the charter?—Rights as British subjects previously to the treaty.

1113. Had you possession of land?—We had possession of land.

1114. How did you acquire it?—Under the licence to trade.

1115. But that is not possession of land?—Yes, under the licence to trade we had various possessions in the country.

1116. Do you understand that a licence to trade gives you possession of the land?—We understood so.

1117. That is the interpretation which you give to the words "a right to trade," that it gives you a right to the land?—We conceive so.

1118. In fee-simple?—I do not say under what tenure, but we consider that it gives us a right to the land.

1119. So that when you received by charter from the Crown a monopoly to trade over certain portions of territory, you believe that the whole of that territory was ceded to you?—No, not the whole of the territory that we trade over, but the territory that we bring into cultivation.

1120. How much land did you bring into cultivation in Oregon?—I really cannot tell.

1121. Did you bring 100 acres?—Five thousand acres.

1122. Into cultivation?—Yes.

1123. And those are all the possessory rights which you have?—We have various establishments all over Oregon; we have them in various parts of the Columbia River and Puget Sound.

1124. Mr. *Edward Ellice*.] Are you not aware that in addition there is the Puget Sound Company, who also have those rights reserved under the treaty?—Yes, that is an offshoot of the Hudson's Bay Company; an agricultural establishment formed by the Hudson's Bay Company, or parties connected with or interested in the Hudson's Bay Company, encouraged by the Government of the day.

1125. Mr. *Kinnaird*.] I gather from your evidence, that in stating the number of people whom you employ, you do not consider the Indians who hunt for you to be your servants?—We do not.

1126. Is not the Company pledged to them by payments in advance?—Decidedly; that is to say, an Indian to make his hunt must be provided with certain necessaries to enable him to live during the winter; he requires a gun; he requires ammunition; he requires blanketing.

1127. Are they not to all intents and purposes your own servants hunting for you, for which you pay them in advance?—There is no contract; there is an understanding that they will pay us if they can. If the Indian is sick, we lose the outfit.

1128. You make him payments in advance; then you settle with him after the hunt, and in the event of any illness, or sickness, or of old age, you undertake to provide for him?—We consider that a dead loss.

1129. What provision do you make for the instruction of these Indians?—In the different parts of the country favourable for settlement we always encourage missions; but in many parts of the country it would be impossible to collect any body of Indians; the means of subsistence are not sufficient to do so.

1130. As the missions extended would you grant assistance?—Decidedly; we are anxious to improve the condition of the Indians.

1131. What grants in aid are given for the education of the half-breeds and the Indians?—We give no grants in aid. The half-breeds are quite in a condition to pay for themselves; the inhabitants of the country; the heads of families.

1132. And the Indians?—They are brought to the missions.

1133. In fact, you think they are able to take care of themselves, and you make no grants in aid for their education?—No.

1134. The

1134. The barter of ardent spirits, you said, was never allowed under any circumstances?—Never for furs. In the Saskatchewan it is necessary to give a small quantity of spirits to the Plain Indians, as an inducement to bring in provisions, otherwise they will not do so; these are principally American Indians. A small quantity is likewise given to some of the Indians at the Rainy Lake, who supply us with dried sturgeon and wild rice.

1135. Have any ordinances or rules been passed by the Council on the subject of ardent spirits?—Yes.

1136. Can you put in copies of your rules with respect to ardent spirits?—The most effectual rule is not to introduce the article.

1137. Have you no written minute from the Council?—No, I think not. There can be very little spirit used, inasmuch as the whole importation is under 5,000 gallons.

1138. What is the amount of ardent spirits imported in the ships?—Four thousand nine hundred and some odd gallons.

1139. How is it distributed in the territory?—Two-thirds of that quantity are for sale to the inhabitants of Red River, who would otherwise distil. We have had great difficulty in preventing them from establishing distilleries in the country.

1140. Are the Company's regulations, to your knowledge, violated in that respect?—I think not.

1141. Have any of the officers of the Company been called to account for bartering ardent spirits where it was not necessary?—No, not that I am aware of. We are so decidedly opposed to the use of spirituous liquor in any of our establishments that no officer would venture to act in opposition to our desire.

1142. I think you said that the government of the country was vested in a council?—Yes.

1143. Are the transactions secret?—Not at all.

1144. Are minutes kept?—Yes.

1145. And is it open to the public; may anybody have access?—All criminal and other legal cases are tried at Red River, and are open to the public. There was a trial by jury last year at Norway House which was open to the public; but our own deliberations with reference to the management of the trade of the country are not open to the public.

1146. Is there any bank out there for the use of the servants; any savings bank or any place where they can deposit their savings?—We have no savings bank; but the Company allow the interest of the day, I think it is four per cent., to any parties who may choose to leave their money in their hands, or they will pay their balances, as they accrue from year to year, as they may desire.

1147. Is every facility given in that respect at the different posts?—In the Red River Settlement we have gold, silver, and copper as a circulating medium, and a paper currency. That paper currency is redeemable by drafts on London at 60 days.

1148. If any of your servants at the different posts wanted to place money at interest, you would allow them four per cent. upon it?—If they choose to leave their money in our hands they get four per cent. for it.

1149. Have you it in contemplation to form a savings bank in any part of your territory?—No; it has never been contemplated; we have never thought of it; it has never been suggested.

1150. Mr. Lowe.] In whom does the executive power reside; in the governor exclusively?—The governor and his council.

1151. The Council of Factors?—Yes.

1152. Consisting of 16?—Yes; and where there is not a sufficient number of chief factors, the number is made up by chief traders; that is as regards the Company's affairs, the business of the country.

1153. As regards the government of the territory, how is it governed; I am now speaking not of trade, but of the general government of the territory?—In the Red River Settlement, in the district of Assiniboia, the present recorder is the governor of the district.

1154. He has the executive power as well as the judicial?—Yes.

1155. What extent of territory is that over?—The district of Assiniboia takes 50 miles by the compass round the Red River Settlement.

1156. Has he any assistance in that, or does he do it entirely himself?—The fact is there is very little to be done in that respect.

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1157. What there is to be done he does?—Yes; our gaols are almost always empty; they scarcely ever have an inmate.
1158. As to the rest of the territory, how is that governed?—By myself and the council.
1159. Have you any legislative power?—No.
1160. You cannot make laws in the territory?—We can make laws as far as regards the management of our own affairs, which is the only case in which we have occasion to make laws.
1161. As to the tenure of land, how is it regulated; what law is in force in the territory?—The law of England, I imagine.
1162. Up to what period?—Up to the present time.
1163. You spoke of a lease of 999 years; why is the land not given in freehold?—Our counsel in this country recommended that lease.
1164. Do you know why?—No.
1165. Who grants the lease?—The Company; generally the governor of the district.
1166. Under the seal of the Company?—Under the seal of the Company.
1167. Have you a seal of the Company out there?—Yes, as Governor-in-chief.
1168. Has the Company in London any legislative power; can it make laws for the territory?—It gives instructions with regard to the mode of conducting the business.
1169. There is no power of making laws, then, at all, as I understand, for the territory?—On the subject of the laws, I would beg to refer to the recorder.
1170. Mr. *Edward Ellice*.] Is it not the case that the directors in London have the supervision of the acts of the council?—Yes.
1171. Mr. *Lowe*.] The Governor is the Executive?—Yes.
1172. All over the territory?—Yes.
1173. There is no legislative power at all, as I understand; there is no power to make laws in anybody?—We make such laws as are necessary.
1174. You do not make Statutes at all?—No.
1175. Do you make Ordinances?—No, we have never had occasion to make Ordinances; we have passed certain Resolutions of Council.
1176. Are they considered binding in the nature of laws on the inhabitants of the territory?—They are principally in reference to our own trade; the laws are administered as nearly as possible in accordance with the laws of England by the recorder of the country, and the late recorder is now on his way to London, and will be forthcoming in the course of a day or two.
1177. Where do these 16 factors, who form the council, live?—All over the country.
1178. Are they summoned every year to meet?—A sufficient number assemble for the purpose of holding a council every year.
1179. Where do they meet?—At Norway House.
1180. At what time?—Generally about the 10th, or 15th, or 20th of June.
1181. Mr. *Bell*.] What number is considered sufficient?—I think seven factors with the Governor.
1182. Mr. *Lowe*.] Does the public ever attend the discussions of this council?—No, never; the public would be our own servants.
1183. Mr. *Kinnaird*.] There is a council at Red River?—Yes, at Assiniboia, where the recorder resides, and where the white population is assembled.
1184. Mr. *Lowe*.] Has the recorder a council?—Yes.
1185. What does that consist of?—Certain inhabitants of the colony. I think there are 10 or 12; the clergy, the Roman Catholic and Protestant Bishops, the principal inhabitants of the settlement.
1186. By whom are they selected?—By the Company, on the recommendation of the governor of the country, or the application of any of the parties.
1187. Mr. *Adderley*.] Does the Governor-in-chief sit with the council himself; is he a member of the council?—Yes; he is the president of the council, and the recorder is the law officer.
1188. The members of the council are nominated by him?—He suggests them.
1189. Mr. *Bell*.] Is there a recorder independent of the Governor?—Yes.
1190. At the Red River and at Norway House also?—No, the recorder of Red River goes to Norway House.

1191. Mr. *Lowe*.] Have you any magistrates, justices of the peace?—We consider all our factors as magistrates. Sir G. *Simpson*.

1192. Do they hold any commission from the Crown, or from the Governor? 26 February 1857.  
—Their commission as factors is understood to answer the purpose of a commission as magistrates.

1193. Have they power to imprison, and to decide any matter?—We have never had any case of imprisonment.

1194. Mr. *Grogan*.] Does the charter specially confer on the Company a power of government, such as we are now speaking of, namely, of imprisoning parties, or is it only a licence to trade?—I must beg to refer you to the charter.

1195. Have you it with you?—I have not.

1196. In point of fact, if an English settler was to go out to the Red River district and settle on a portion of land there, without any reference at all to the Governor of that district (you say it is the recorder in that district), could you remove him?—We have never yet removed anybody.

1197. But could you remove him?—We have never had occasion to examine into the question.

1198. Has the question never been raised?—Never. We have never removed any man.

1199. Mr. *Adderley*.] But is it your opinion that you have the power?—I do not know. I am not clear that we have. Squatters throughout the United States and in Canada are allowed to remain on payment of the established price of land.

1200. Mr. *Roebuck*.] To whom is that price paid?—We have never exacted payment for land in Rupert's Land.

1201. Mr. *Adderley*.] Of no kind?—Of no kind.

1202. Has any payment been exacted by the Company from settlers, either by way of a price per acre, or by way of a licence to purchase?—In cases where our own servants, who are free only upon their return to Europe, go to the Red River, we sell them lands. In some cases they have paid for them; in others they have not, but very rarely.

1203. If I wanted to buy land in the Red River Settlement, should I require any licence from the Company to enable me to buy?—I should think you would. There has never been a case in point.

1204. Mr. *Edward Ellice*.] Is it not the fact that the Company claim to be the proprietors of the soil of Red River?—Yes; we have never enforced it.

1205. Mr. *Adderley*.] Has nobody ever paid anything for a licence to buy land?—Not excepting in the cases of our own retiring servants, who are bound to go back to their own country.

1206. Mr. *Edward Ellice*.] As I understand it, there is no licence to buy land; it is an actual purchase?—It is an actual purchase.

1207. Mr. *Adderley*.] If I wanted to buy land in the Red River Settlement, upon what terms could I buy it?—Five shillings an acre.

1208. And that would be the only payment which I should have to make?—Yes.

1209. That would be to the Company?—Yes; 5s. in one part of the country, and 7s. 6d. in another.

1210. I should have no other impediment, either in the way of payment or in the way of restrictive regulation to my buying land there?—None at all.

1211. Anybody, from any part of the world, could, by paying 5s. an acre, purchase any quantity of land at the Red River Settlement from the Company?—Yes, I believe so.

1212. Mr. *Roebuck*.] The Company sell that land, you say?—Yes.

1213. By what right do they sell that land?—By the right which they hold under their charter.

1214. Does the charter give you land?—We believe so.

1215. Do you know the words of the charter?—No.

1216. Are that not a licence to trade; to hunt?—No; I think the charter gives us a right to the land.

1217. Mr. *Grogan*.] In the event of a person coming from England, for instance, and purchasing land, as you say, at 5s. an acre from you, is the land conveyed

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conveyed to him in fee-simple, or for any particular term, or under any deed?—It is conveyed to him under a lease of 999 years.

1218. Is there a regular form for all those leases?—Yes.

1219. What are the terms of those leases?—I cannot call them to mind.

1220. Have you a copy of the lease with you?—No.

1221. Will you furnish one to the Committee?—I will.

1222. Are there any conditions whatever in that lease respecting exclusive rights and privileges to the Company?—I think there are with reference to trade, as far as my recollection goes; I have not read the lease for a great length of time; we have so very seldom occasion to issue those leases that I do not at this moment call the particulars of them to mind.

1223. Then, we are to understand that a settler going from this country to purchase land in the Hudson's Bay Company's territories gets a lease for 999 years, at the rate of 5s. or 7s. 6d. an acre, according to the locality?—Yes.

1224. And he is also subject to certain restrictions as regards a particular trade?—Yes; trade in furs.

1225. Simply as regards the trade in furs?—Yes.

1226. There is no other limitation of any kind?—No other limitation whatsoever.

1227. In regard to the exports, which such a settler is permitted to make, is there any limitation whatever on that point?—None at all.

1228. How do you explain then the case of Mr. Sinclair, and the export of tallow, to which you referred a short time ago?—I think in his particular case he had traded in furs.

1229. Mr. Bell.] And therefore because he had traded in furs, you would not allow him to trade in tallow?—No; we did not give him freights. That was not approved of at the time by the Company.

1230. That was the method which you took to punish him?—I did not take it, but the officer in charge at that time.

1231. I mean the Company?—Yes.

1232. Mr. Grogan.] I will read to you a passage from a pamphlet, entitled "Canada West, and the Hudson's Bay Company." "Mr. James Sinclair sent in one of the Company's vessels a small quantity of tallow to London, as an experiment. It proved remunerative, and the next year he sent a much larger venture, but this was not allowed to be taken. In the interim, however, application was made to the Company by other settlers for permission to export tallow at moderate freights; but to this no answer was returned. Subsequently the Company found it necessary to legislate on the subject. From the Minutes of Council on this subject, published June 10, 1845, and from a letter of the governor of the country, in answer to the application of certain half-breeds to have their position with respect to hunting and trading defined, all of which documents will be found given *in extenso* in Fitzgerald's 'Hudson's Bay Company and Vancouver's Island,' we learn that it is the fundamental law of the country, that no settler should trade in furs." Do you remember the transaction relating to the export of tallow?—I do not remember the particulars; I was not in the country at the time.

1233. Mr. Edward Ellice.] Is it the fact, that any trader who was refused by the Company could himself have a vessel to take away his goods from Hudson's Bay?—Yes.

1234. So far as that goes, it is merely a favour that the Company does to the trader?—Yes.

1235. Mr. Grogan.] Is there any limitation with regard to the imports which such a settler might make?—None at all. I have myself suggested to settlers that they should charter a vessel for themselves.

1236. Is any particular licence required for imports by settlers?—No; there has been no application for a licence.

1237. I will read to you another passage, and you will tell me how far it is correct: "Further, that while once in every year settlers are permitted, at their own risk, to import stores, fur traffickers are excluded from this privilege, but that even for this a licence is required." Is that the fact?—No; it is not true.

1238. "Moreover, that while imports to the amount of 50% are permitted, they must be purchased only with certain specified productions or manufactures of the settlement, carried away the same season." Are those facts correct to your knowledge?—The only article of import prohibited is liquor, and the only article

article prohibited for export is fur; with those two exceptions, you may import or export anything that anybody requires.

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1239. Then how do you explain the circumstance of these parties not being allowed to export their tallow?—I do not exactly call to mind that circumstance. I was not in the country at the time: it led to a good deal of correspondence; the thing is not quite fresh in my memory.

1240. Did you know a retired servant of the Company, Mr. Dunn?—I did not know him, but there was such a man.

1241. In what capacity was he employed by the Company?—I think he was originally a Greenwich scholar; a boy from the Naval School at Greenwich, and taken as an apprentice on board one of the Company's ships, and he was afterwards promoted, I think. I am not quite clear as to his position.

1242. He was promoted to what. Did he become captain of one of the ships?—No.

1243. Supercargo?—Mate, I think.

1244. Mr. Edward Ellice.] How many years ago is that?—A good many years ago.

1245. Is it 30?—About 25 years ago, I think.

1246. Mr. Grogan.] Was he in the Company's service during the time that you were there?—No. I never saw him.

1247. You mentioned that 5,000 gallons of spirits are imported into the country. Do you mean that that is the quantity of all the spirits imported?—That is the whole quantity imported from England. Some of the settlers at Red River smuggle spirits into the country. We are unable to prevent it.

1248. Did you ever hear that Mr. Dunn had published a journal, in reference to his experience in the Hudson's Bay Company?—Yes, but I do not think I ever saw it. I do not recollect having seen it. Upon the north-west coast of America, I have not the least doubt that spirituous liquor has been very much abused; that was during the opposition with the United States.

1249. In 1832?—Yes.

1250. You gave us the number of chaplains that were employed and paid by the Company. Are those chaplains required to keep school?—They are encouraged to keep school.

1251. Are they required?—No.

1252. The salary that you pay them has nothing to do with their necessarily keeping a school?—No. They are likewise paid by the societies to which they belong; the Church Missionary Society, or the Wesleyan Society. At Norway House, and at several of the Wesleyan establishments, very large schools are kept.

1253. Are they paid for their services as schoolmasters by you or by the Missionary Society?—They are paid by us in aid of the mission. A salary is given to those parties in aid of the mission, and they keep schools, according to the instructions which they may have from the society to which they belong.

1254. Do they receive any payment from the scholars who frequent the schools?—I think not.

1255. For what period of time do your servants that go from this country engage with you?—Generally five years.

1256. On the average do they return at the expiration of the five years?—No, I think they generally remain; I should say that six out of eight remain; they renew their contract over and over again. There are many servants who have been in the service 25 or 30 years.

1257. As a general average, do they remain, say 20 years with you?—Perhaps barely 20 years at present.

1258. But they remain a long time?—Yes, many of our servants remain a long time. Many of our servants remain altogether in the country. They retire from the service, and become settlers at the Red River.

1259. What is the highest salary that the Company pay their servants?—The price of labour has increased very much. It was some years ago 17 l. sterling, and now it is increased to men coming direct from England on their first engagement to 20 l.; and it is raised according to their position afterwards. A man from being a common labourer, takes either the stern or the head of a boat; being called the bowsman or the steersman; in that case, he is paid higher according to his capability as a boatman. Fishermen are paid higher; they are paid 30 l., 35 l., and 40 l. in many cases; tradesmen also are paid higher.

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1260. The class that you describe as labourers are paid 20 l. to 30 l., and 35 l.?—Yes.

1261. What may be the salary of the superior officers?—The factors and traders have an interest in the trade; they are partners.

1262. Mr. Kinnaird.] The 16 factors?—The 16 factors and the 29 traders.

1263. Mr. Grogan.] They are, to a certain extent, partners in the adventure?—Yes.

1264. A witness informed us on the last day that, with regard to the barter between the trader or factor and the Indians, it was all done according to a tariff?—Yes, there is a tariff.

1265. Is that tariff settled by the council, the governor, and factors, or is it settled in this country?—There is a tariff of very old standing; the Indian and the trader perfectly understand each other as regards the tariff.

1266. By whom was the tariff settled?—The tariff was settled originally by the original traders. It has been modified from time to time according to circumstances.

1267. The existing tariff in its modified form is ratified and carried out by the council?—Yes. It varies in different parts of the country.

1268. In the event of a variance of that tariff, who settles that variance?—The council do.

1269. A question was put to you relative to any compensation or pension which might be given by the Company to old officers or servants, and those who might have received injuries in the service, and you stated that many of them were extremely comfortable?—Yes, many of them have retired with means saved in the country.

1270. Do you confine your answer to the superior officers, the factors, and traders, or do you extend it to the servants?—I speak of labourers. I have known labourers retire with from 200 l. to 300 l.; Orkney labourers, who are extremely economical in their habits. I speak of those who have been in the country for a great length of time.

1271. They have saved that money out of the wages of from 20 l. to 30 l. a year, and the four per cent. which you allow them for money which they do not draw?—Yes.

1272. Mr. Gordon.] I think there is no other settlement of any importance, besides the Red River, of whites living under the government, but not in the service of the Company, in your territory; of course I do not speak of Vancouver's Island?—There is a small settlement at a distance of about 60 miles from Red River, at a place called Portage la Prairie.

1273. How long has that settlement been established?—Seven or eight years.

1274. Mr. Roebuck.] Whereabouts is it?—That is up the Assiniboine.

1275. That is close to the Red River?—Yes.

1276. Mr. Gordon.] Is it in your power to sanction such an establishment, or is it only in the power of the Governor and the Company at home?—We were opposed to this settlement in the first instance as being difficult of management. It was at such a distance from the seat of Government, that we had not the same control. If offences were committed, there were no constables within reach. There were no means of laying hold of the offenders.

1277. What reason made it much more difficult to communicate with it?—The distance of 60 miles is considerable.

1278. Is it 60 miles of interrupted river?—I think it is about 60 miles from Portage la Prairie to the Forts (Fort Garry).

1279. And the river communication is not good?—The river communication is not good.

1280. Mr. Charles Fitzwilliam.] Is there no communication by land?—There is a communication by land.

1281. Mr. Gordon.] Is it in your power to sanction such an establishment as that, or must it be the Governor and Company at home who sanction its formation?—I referred to the Governor and Committee, who thought it desirable that the settlement should not be established; but no step was taken to prevent it.

1282. They permitted it, but did not sanction it?—Yes.

1283. If I went and chose to settle there, might I do so without any opposition?—Yes; in any part of the territory, so far as I am aware, it has never been

been objected to. There has never been a case where application has been made. Sir G. Simpson.

1284. Supposing such application were made, would it be encouraged, or discouraged as you have discouraged it in this latter case?—That would be a matter for consideration. I have not prepared myself to answer that. 26 February 1857.

1285. Do you consider that your right to sell land is the same in those territories which you hold under your charter, and in those which you hold under your license to trade?—No; we do not consider that we have any right to sell land under our license to trade.

1286. Am I mistaken in supposing that you said that you considered yourselves justified by your license to trade, in selling land in the Oregon country?—A special provision was made in the treaty for such sale, respecting our possessory rights.

1287. Mr. *Edward Ellice*.] That related to property which the Company actually created?—Yes.

1288. Mr. *Gordon*.] Which you could occupy, but not sell?—We were proprietors as well as occupiers.

1289. What are the conditions now required of any settler taking a lot of land on the Red River Settlement?—It was arranged, I thought, that I should bring a copy of the deed before the Committee.

1290. What is the usual price of unsettled land now in Upper Canada?—I cannot speak to that.

1291. You do not suppose the land, the price of which you have stated to be 5 s. or 7 s. 6 d. an acre, to be better than that in Upper Canada?—Certainly not; it is not so good.

1292. Are the laws or regulations under which the colony of Red River is governed printed; are they accessible to the settlers?—They are not printed, but they are usually posted on the church doors, and the settlers have copies of them all through the country.

1293. You mean that that is done with any new ones?—Yes; anything that affects the Red River Settlement.

1294. But how do they know old ordinances or regulations?—The settlers there are so very few that that has never been necessary.

1295. Mr. *Edward Ellice*.] I suppose there are no newspapers to advertise them?—No.

1296. Mr. *Gordon*.] Then, in short, they may not be aware of the laws and regulations under which they are living?—The laws and regulations are so very few that they know them perfectly.

1297. But they are not accessible?—They are not published.

1298. Mr. *Edward Ellice*.] It is a very simple state of society, is it not?—Yes.

1299. Mr. *Gordon*.] There is no newspaper in the Red River colony?—No.

1300. You are aware, I suppose, that a newspaper is generally the first thing introduced in an American colony?—Yes.

1301. Has there never been a wish expressed by the settlers of the Red River colony to have a newspaper there?—Not that I am aware of. I suggested, some years ago, that they should get up a newspaper, but they could not get anybody to take charge of it.

1302. Can you tell me what is the freight per ton on goods imported from London to the Red River?—£. 5 a ton, and 1 l. for lighterage and storage, and being warehoused; that is 6 l.

1303. It was lately a good deal higher than that, was it not, 8 l. or 9 l.?—No; I think it was lower. I believe there has been very little change.

1304. I have heard it repeatedly stated, that the cheapest way of receiving goods in the Red River for traders there is to have them transmitted by New Orleans, and along the Mississippi; that it is cheaper than their going by York Factory; do you believe that to be the case?—The freight to York is 5 l. a ton. The freight from St. Paul's to Red River is 18 l. a ton, or 16 s. the piece of 100 pounds.

1305. What is the distance from Red River to York Factory?—About 600 miles, I think; and the freight from York Factory is 20 l. a ton to the Red River.

1306. Mr. *Edward Ellice*.] With regard to that freight, any persons can take the goods as cheaply as they like?—They can take them any way they please;



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we pay that amount ourselves. We do not do our own transport; we usually employ the freighters at the Red River. Different traders do the transport for us from York Factory to the Red River.

1307. Mr. Gordon.] What is the distance from Red River to Lake Superior?—Six hundred miles.

1308. You think that the distance from York Factory to Red River is not greater than from Fort William to Red River?—It is about the same, perhaps; but the freight from Lake Superior to the Red River in the transport of the flour which I have before mentioned, was 40 s. a piece, or 45 l. a ton.

1309. The route from York Factory to Red River, is not a very good one, is it?—It is very bad as far as Norway House.

1310. Is it not the case that there have been petitions from the settlers in the Red River to have that route improved?—We cannot materially improve it. It is not susceptible of improvement without a prodigious outlay; such an outlay as our traffic would not afford.

1311. Mr. Bell.] Has there been a petition?—I am not aware of a petition. We are very anxious that the route should be improved for our own purposes; but the outlay for improvement would be more the trade could afford.

1312. Mr. Gordon.] You say that it is very bad; do you think it worse, or not so bad as the route to Fort William?—It is not so bad, inasmuch as we can use boats, carrying about three tons, between York Factory and Red River, and the only means of transport between Lake Superior and Red River is a small canoe.

1313. I suppose, if the route to Lake Superior could be improved, it would be the shortest route from England for goods; there would be water communication up to Lake Superior?—Yes.

1314. It would be easier than by Hudson's Bay?—I think the route cannot be improved sufficiently for the transport of goods.

1315. What are the great difficulties on that route which prevent its being improved?—The depth of water in the river, the interruption from rapids and falls, and the swampy character of the country.

1316. Is not that the way which the old North-West Company used to carry all their supplies for the use of the interior?—It is.

1317. Then they must have carried along there nearly as much as you carry from York Factory?—No; it was not one-tenth of the transport that we have from York.

1318. If I understood you rightly, you said that the copy of the resolutions, dated 1845, was not authentic; I have a copy of the resolution with respect to the duties to be paid on all imports into the settlement?—That resolution, I think, was disallowed.

1319. Have you reason to believe that the colonists at the Red River are satisfied with the government of the Company there?—I have reason to believe that they would be perfectly satisfied if their minds were not unsettled by agitators who have an eye upon the trade.

1320. In short, you think that the agitation comes from without, and not from within?—Decidedly.

1321. In your "journey," to which you have referred two or three times before, at page 54 you say, with regard to education, "As to the charges of education, four-fifths of them fall on the pious and charitable association just mentioned;" that is the Church Missionary Society; "while the remaining fifth is borne by such individual parents as are able and willing to spare 15 s. a year for the moral and intellectual culture of a child." As five-fifths make a whole, I suppose it may be taken that the Company do not pay anything?—No; those are the agricultural settlers of the Red River, who are in a condition to pay for their own children.

1322. Then the Company do not contribute?—Not there; that is under the direction of the bishop.

1323. Is pemican sold to the schools and missionaries at the same price that it is to the Company's servants?—We do not sell it to the Company's servants; we sell it at a very small margin of profit; there is a great deal of waste, and it is necessary to sell it at a very small margin of profit, to cover that waste.

1324. Mr. Gurney.] What do you imagine is the ordinary time which elapses on an average between goods being bought by the Company in England and those identical goods being delivered to Indians within the Hudson's Bay Company's

pany's territory?—It depends upon the locality; in one part of the country, as, for instance, a part of Mackenzie's River, it occupies seven years; that is, from the time the goods are shipped in London until the returns are brought to sale in England. Sir G. Simpson.  
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1325. Then seven years would be the extreme?—Yes.

1326. And what would be the minimum?—From three to four years.

1327. It ranges from three to seven years?—Yes.

1328. Mr. *Kinnaird*.] You have not told us anything about the nature of the population in Vancouver's Island?—I know very little about Vancouver's Island; I have not been there since it was established.

1329. Can you tell me the state of the population on the west of the Rocky Mountains; of the Indians there?—The Indians are all in a state of warfare in Oregon. In the British territory they are more independent; they have a better position as regards means of subsistence than on the east side of the mountains; fish is very abundant; salmon.

1330. Is there no process of settlement?—None. There are Indian villages along the coast, and salmon are very abundant, and deer are very abundant, and on some of the islands they raise potatoes.

1331. Mr. *Charles Fitzwilliam*.] With reference to schools, has any obstacle ever been put in the way of schools being established for the instruction of the Indians?—Never. On the contrary, they have been encouraged.

1332. Did you know Mr. Leith, a chief factor?—Yes, Mr. James Leith. I knew him intimately.

1333. He died some years ago?—Yes.

1334. He had amassed a considerable sum of money?—Yes.

1335. Which on his death he bequeathed to various purposes?—Yes.

1336. Can you tell the Committee what those purposes were?—I think the promotion of religion in the Company's territories; religion or religious instruction; I forget the precise terms.

1337. Mr. *Edward Ellice*.] The amount was 10,000*l.*, was not it?—Yes.

1338. Mr. *Charles Fitzwilliam*.] Are you sure that it was not for education, and not religion?—I cannot speak to the will, but the executors, I think, were the Bishop of London, the Dean of Westminster, the Governor of the Hudson's Bay Company, and his own brother.

1339. How has that money been applied?—To the support of this mission.

1340. Of what mission?—The Bishop of Rupert's Land.

1341. But a little while ago you informed us that the Company paid to the Bishop of Rupert's Land a salary of 300*l.* a year?—Yes.

1342. What has become of the income of 300*l.* a year, which is the interest on 10,000*l.*, more or less?—I am not able to answer the question. I cannot state distinctly how the application of this money has been made.

1343. Mr. *Lowe*.] You say that it goes to the Bishop of Rupert's Land?—I think it is under his direction.

1344. Mr. *Grogan*.] You spoke of the Company possessing rights in Oregon, which rights were recognised under the treaty with America?—Yes.

1345. What were those rights; a licence to trade?—They were our possessory rights, whatever they were; there is a difficulty as to the interpretation of possessory rights.

1346. Lands which you have improved and cultivated?—Yes. There is a question as to what the possessory rights may be considered; different lawyers give different opinions upon the subject. The late Daniel Webster considered that wherever our trappers wrought, wherever our wood cutters hewed timber, wherever our flocks and herds ranged, we had possessory rights. Other lawyers have given a different interpretation.

1347. Had you the exclusive right to trade in that district?—The same licence to trade as we had on the east side of the mountains.

1348. Do you consider that you have that right now?—Yes; our licence to trade has not expired yet; it will expire in 1859.

1349. If an Englishman went to that district and attempted to trade in furs, do you consider that you would have the power to prevent his doing so?—I think so.

1350. If an American were to do it, do you think you would have the power to prevent him?—I think so.

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1351. Do you think he would be prevented by you?—I do not know that he would.

1352. Mr. *Edward Ellice*.] With reference to the council at Norway House, is it not one of the objects of the council to assemble together once a year the persons having charge of the posts in distant parts of the country?—Yes.

1353. In order that they may compare notes, and consult together in the aggregate as to what should be done?—Yes.

1354. That is the only time for bringing them together?—Yes.

1355. The country, I believe, is as large as Europe?—The country is of prodigious extent: I have an estimate of the mileage.

1356. Mr. *Adderley*.] Would it not be possible to govern the country by delegated authority at different distances from the centre; do you suppose that in the general settlement of the whole of this territory as big as Europe, it would be absolutely necessary always to refer home, on every detail of management, to Norway House?—No; I should conceive not.

1357. Is it the case that there is that reference between the government of Red River and Norway House?—No.

1358. Is there none whatever?—No.

1359. Did you not state that the Company opposed themselves to another settlement on the borders of Red River, as being too distant from the seat of government?—They did not decidedly oppose it, but they discouraged it.

1360. On that ground?—As being more difficult of management.

1361. From its distance from Norway House?—No, from Assiniboia. Our gaol, and court-house and police, are all in the settlement.

1362. When you speak of the seat of government, what do you mean?—The seat of government of Assiniboia, which forms a circuit of 50 miles by the compass from the forks of the Red and Assiniboine Rivers.

1363. Have the inhabitants of the Red River Settlement any influence whatsoever over the decisions of the council which govern them?—The principal inhabitants of Red River are themselves the councillors of Assiniboia, with the governor.

1364. When you say that the recorder is governor of Red River, do you mean that he is *ex officio* always so?—No; he was considered a very fit man to hold both offices.

1365. He was so appointed?—Yes; he was the recorder originally, and on the retirement of the former governor he had the commission of governor likewise.

1366. Who appoints his council?—They are appointed by the Company at the suggestion of the governor, or on the application of any of the inhabitants.

1367. But is it an appointment by the governor, or an application by the inhabitants?—Both. The Company is willing to appoint anybody who may be considered a fit person qualified for the office.

1368. What is the name of the present recorder?—Francis Johnson. He was a Queen's counsel in Canada.

1369. For what length of time are the members appointed?—There is no limitation of the time.

1370. Are their appointments for life?—No; there is no fixed period; they are appointed councillors.

1371. During pleasure?—During pleasure.

1372. Are the council at Norway House appointed in the same way?—At Norway House the factors are councillors under their commission.

1373. Are they appointed during pleasure?—No; it is while they hold the commission of factor.

1374. For the whole length of the tenure?—Yes, the tenure of office.

1375. Mr. *Edward Ellice*.] That is under the charter?—It is.

1376. Mr. *Adderley*.] Is your appointment an appointment for life?—No; my appointment is by the Governor and Committee.

1377. Mr. *Roebuck*.] I think it is a double government. You have a government in England and one in Hudson's Bay, have you not?—The Governor and Company are the superiors; they have the supreme direction.

1378. The Governor and Company in England appoint the Governor in Hudson's Bay?—They do.

1379. According

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1379. According to their will and pleasure, and his appointment is revoked at their will and pleasure?—It is so.

1380. So that, in fact, the Governor out there is the downright servant of the Governor and Company here?—He is positively their servant.

1381. And what they desire him to do he is bound to do?—He is.

1382. Where does he live usually when he gets to that country?—I have been the Governor for the last 37 years, and I have lived nearly all over North America. I have lived in Oregon, I have lived in Hudson's Bay, in Red River, at York Factory, and in Athabasca. I have travelled the whole country over.

1383. There are no head-quarters of the Government, then, and the talk about the Governor and council is a mere idle statement?—No. The Governor of Assiniboia is resident upon the spot.

1384. I remark that you always allude to your Red River Government at Assiniboia; did you not just now say that that simply occupied a circuit of 50 miles by the compass?—Yes.

1385. And the whole country, you have told us, and the map tells us also, is as large as Europe?—Yes.

1386. So that when you talk of that small territory, it is like talking of San Marino, in Europe?—Criminals would be sent down to Assiniboia.

1387. If a murder were committed on the shores of the Arctic Sea, would the man be sent down to Assiniboia?—Yes, in the first instance.

1388. Have you ever known an instance of a murder on the shores of the Arctic Sea?—Not on the shores of the Arctic Sea, but within the Arctic circle.

1389. Can you state that case to me?—I cannot give all the details from memory.

1390. Mr. *Edward Ellice*.] Was that the case which you spoke of before to-day?—Yes; Creole Le Graisse was one; there were three.

1391. Mr. *Roebuck*.] So that in your long life there of 30 odd years you have known three cases?—That was one particular case; those three persons were accomplices; they were sent to Canada for trial.

1392. Are those the only cases which you recollect?—The only cases in the Arctic regions that I recollect.

1393. How many criminals do you suppose are annually tried at Assiniboia?—I think the whole of the criminal cases within my recollection, are but 19 in the 37 years.

1394. And that you call administering justice in that country?—Yes.

1395. We may take that as a specimen of the administration of justice in those countries under the rule of the Hudson's Bay Company?—Of the absence of crime, I should hope; we claim to ourselves great credit.

1396. Do you mean to say that in your tenure of office there for 37 years there has been only in fact 19 criminals in that country?—I think so.

1397. Mr. *Edward Ellice*.] Are those serious cases or minor offences?—Serious cases.

1398. Mr. *Roebuck*.] Take murders: do you mean to say that in all your term of office of upwards of 30 years, there have been only 19 murders committed in the whole of the Hudson's Bay territory?—There were 11 people killed in this particular case which I am referring to.

1399. Do you mean to say that in the 37 years of your government of that country, there have been only 19 murders committed?—19 cases; I said there were 11 murders in that first case which I spoke of.

1400. I want to ascertain what has been the administration of justice in that country; I want to know how many persons have been brought to justice; you tell me 19?—Since 1821 there have been 19 cases of homicide in which the Hudson's Bay Company's people were concerned; in 11 punishment was inflicted; one prisoner was tried and acquitted; one was a case of justifiable homicide; three accused parties died before being captured, and in three cases there was no evidence to proceed against them; those are the 19 cases.

1401. Do you say that that fairly represents the state of crime in that country?—I do.

1402. Do you mean to say that since 1821, the date that you have quoted, there have been only those 19 cases of murder in that country?—In which the Company's people were concerned; in the wars that take place in the plains among the Blackfeet there are cases in which we cannot interfere.

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1403. I refer to cases over which the recorder has jurisdiction?—Yes.

1404. That is your estimate of the crime in that country?—Yes.

1405. Mr. *Edward Ellice*.] In short, it is your knowledge?—Yes, as far as my knowledge goes.

1406. Mr. *Roebuck*.] I have a book in my hand published by you I think in 1847?—Very possibly.

1407. How long had you been then Governor of that country?—Twenty-seven years.

1408. And I suppose that in those 27 years you had acquired a good deal of experience?—Yes.

1409. Are we to take this book as the result of your experience of 27 years?—I think you may.

1410. And all that you stated then was your view after 27 years' experience of that country?—I think so.

1411. So that if you had died at that moment, which I am very happy to see that you did not, we might have taken this book as your view of that country?—Yes.

1412. Has anything happened since that time to alter your views of that country?—No, I do not know that I have materially altered my views in regard to it.

1413. I know that this passage has been read to you before, but its matter has struck me very much, from its poetry as well as otherwise, and I will read it again and ask you why, if you have changed your opinion, you have changed it: "The river which empties Lac la Pluie into the Lake of the Woods, is, in more than one respect, decidedly the finest stream on the whole route. From Fort Frances downwards, a stretch of nearly a hundred miles, it is not interrupted by a single impediment, while yet the current is not strong enough materially to retard an ascending traveller. Nor are the banks less favourable to agriculture than the waters themselves to navigation, resembling in some measure those of the Thames near Richmond. From the very brink of the river there rises a gentle slope of green sward, crowned in many places with a plentiful growth of birch, poplar, beech, elm, and oak. Is it too much for the eye of philanthropy to discern, through the vista of futurity, this noble stream, connecting as it does the fertile shores of two spacious lakes, with crowded steamboats on its bosom, and populous towns on its borders?"—I speak of the bank of the river there.

1414. I am going to direct your attention to the river itself; the river itself was at that time capable of bearing steamboats?—Quite so.

1415. Is it not so now?—It is.

1416. And the land was very fertile then, you say?—The right bank of the river which I speak of, indeed both banks, the lip of the river.

1417. You say, "Nor are the banks less favourable;" you allude to both banks?—Yes; I confine myself to the banks; the back country is one deep morass extending for miles.

1418. So that anybody reading that passage would have very much mistaken the nature of the country if he had thought that that was the description of it?—Not as regards the banks; I confine myself to the banks.

1419. Does a traveller usually give such descriptions of a country as that?—Yes, I, as a traveller, did so.

1420. Then we may take that to be a specimen of your view of the country?—You may.

1421. I will now direct your attention to that portion of the country stretching round the Red River Settlement. Supposing you took the compass as far as the boundary line, and struck a circle round, how far is the Red River Settlement from the boundary?—About 50 miles.

1422. That would be a diameter of 100 miles?—Yes.

1423. Supposing you took a square, and you included Lake Winnipeg, up to the north, and went to Cumberland House, and you then came down the parallel of longitude 105°, making a very large square of 10 degrees of longitude and five degrees of latitude, you would have a large territory, would not you?—It would be a large territory.

1424. A good large colony?—Yes.

1425. Supposing

1425. Supposing that were done, and it were erected into a territory, say at the end of the United States: do you suppose that that country could be self-supporting?—I think not.

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1426. Why?—On account of the poverty of the soil; along the banks of the river I have no question that a settlement might be self-supporting; a population thinly scattered along the banks of the river might support themselves, but a dense population could not live in that country; the country would not afford the means of subsistence.

1427. That is your view of the country?—That is my view of the country.

1428. You are here to tell us that the country is very barren and could not support a population?—It could not support a large population, and, moreover, there is no fuel; the fuel of the country would be exhausted in the course of a very few years.

1429. Why is there no fuel; are there no woods?—No woods; all that prairie country is bare of woods.

1430. And yet I see the country upon this map, marked green, and they tell me that that signifies the woody country?—Yes, that is the woody country.

1431. Mr. *Grogan*.] You described the river at the Rainy Lake, in the passage read by Mr. Roebuck, as capable of bearing steamboats at the time that book was written?—Yes.

1432. For about 60 miles of its distance?—Probably about 60 miles.

1433. Is it in the same condition now?—Yes; from the outlet of Rainy Lake to the Lake of the Woods, there are four rapids.

1434. But those rapids you do not consider would be an impediment to steam navigation?—Two of them would be, and a third rapid, at the establishment, would be an impediment.

1435. What may be its extent?—It is a waterfall of about 40 or 50 feet.

1436. For a quarter of a mile, or less?—The portage formed by this waterfall is a quarter of a mile.

1437. You would then get into the Rainy Lake; that is navigable, of course?—Yes.

1438. For a steamer?—Yes.

1439. Then I see a series of small lakes going down towards Whitewood; are they navigable?—No.

1440. Am I to understand you that, from the Lake of the Woods down to Whitewood Lodge or House, it would be navigable for a steamboat also?—No, but to the end of Lac la Pluie.

1441. What distance is that altogether; is it 60 miles?—The Lake of the Woods is about 60 miles.

1442. A second 60 miles?—A second 60 miles.

1443. That would be 120?—Yes. The river runs from the Rainy Lake down to the Lake of the Woods, and from the Lake of the Woods the River Winnipeg flows down to Lake Winnipeg.

1444. Is it navigable for that distance?—Not the River Winnipeg. There are a number of portages in it, and the river is not navigable except by boats. The part of the navigation which is fit only for canoes is from the Rainy Lake to Fort William, Lake Superior.

1445. What distance is that?—That is about 300 miles.

1446. Mr. *Edward Ellice*.] Are reports of the conduct of each servant sent in by the chief factors and traders every year?—No; reports upon the character of the whole establishment are sent in; if there is anything remarkable it is noted.

1447. And each chief factor is responsible for the conduct of the servants under him?—Decidedly.

*Lunæ, 2<sup>o</sup> die Martii, 1857.*

MEMBERS PRESENT.

Mr. Adderley.  
Mr. Bell.  
Mr. Blackburn.  
Mr. Edward Ellice.  
Mr. Charles FitzWilliam.  
Mr. Gladstone.  
Mr. Gordon.  
Mr. Gregson.  
Mr. Grogan.  
Mr. Gurney.

Mr. Percy Herbert.  
Mr. Kinnaird.  
Mr. Labouchere.  
Mr. Lowe.  
Sir John Pakington.  
Mr. Roebuck.  
Lord John Russell.  
Viscount Sandon.  
Lord Stanley.

THE RIGHT HON. HENRY LABOUCHERE, IN THE CHAIR.

Sir George Simpson, called in ; and further Examined.

Sir G. Simpson.

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Vide Appendix.

1448. Mr. Edward Ellice.] YOU were asked the other day to hand in a copy of the land deed by which the Company convey land to settlers at Red River ?  
—Yes ; here it is. —The leading conditions are, not to deal in furs ; not to distil or import spirituous liquors ; to resist foreign invasion, and to promote religious instruction.—(The same was delivered in.)

1449. With regard to the Indian Settlement at Cumberland, you were asked some questions with reference to a sum of money of 10,000 £. which was left by the late Mr. Leith, who had been in the Company's service?—Yes.

1450. Will you have the goodness to explain that matter?—The words of the bequest are the following : The legacy by James Leith was "for the purpose of establishing, propagating, and extending the Christian Protestant religion in and amongst the native aboriginal Indians of Rupert's Land." The fund, with the accumulations of interest, now amounts to 13,345 £.

1451. Mr. Roebuck.] What are you quoting from?—The words of the will.

1452. Is that the only statement in the will ; does the will say nothing of the means by which religion is to be propagated?—No. These are the words : "For the purpose of establishing, propagating, and extending the Christian Protestant religion in and amongst the native aboriginal Indians of Rupert's Land."

1453. Is that all?—That is all that is said upon the subject.

1454. Mr. Edward Ellice.] I think you stated the other day that the money was left to certain trustees?—Yes. The sum now amounts to 13,345 £. Three per cent. Consols.

1455. Mr. Roebuck.] That you do not quote from the will?—No.

1456. Mr. Edward Ellice.] That is lodged in Chancery, is it not?—Yes, it is now in Chancery.

1457. By whom is it administered?—It was committed to the Bishop of Rupert's Land by the Court of Chancery, upon the understanding that the Hudson's Bay Company would add to the Bishop's income a salary of 300 £. per annum, and provide him with a residence.

1458. Which the Company did?—Yes. The executors are, I think, the Bishop of London, the Dean of Westminster, the Governor and Deputy-Governor of the Hudson's Bay Company, and his own brother, Mr. William Leith.

1459. They are the trustees by whom the fund is administered?—Yes.

1460. With regard to the pensions of retired servants of the Company, have you anything to add to your former statement?—Yes. I was asked whether there was any pension for retired servants. There is a sum of 300 £. a year set aside from the profits of the trade to pension old and deserving officers. To servants and others not entitled to participate in that fund, special grants are

are made on the recommendation of the councils. When servants are incapacitated by age for active duty, they are superannuated and kept at the posts as supernumeraries, rendering such voluntary service as they please in return for their food and clothing.

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1461. You were also asked to put in the census of the Red River population. Have you it?—Yes.

1462. Will you put it in?—(*The Witness delivered in the same.*) The total population shown is 6,500; add the population of Portage la Prairie, Manitobah, and Pembina, 1,500; making a total of 8,000.

Vide Appendix.

1463. Mr. Roebuck.] Will you tell us where those places are, so that we may know the area of country?—They are parts of the Red and Assiniboine Rivers. The settlement extends along those rivers, up and down; above and below the fort.

1464. You stated a certain number of names. I want to know where those names are upon that map?—I am stating where the first is.

1465. The first is the Red River Settlement?—Yes.

1466. What is the next?—The next is Portage la Prairie, about 60 miles above Red River, upon the Assiniboine; Manitobah is about 60 miles in a northerly direction, upon a lake of that name.

1467. Mr. Edward Ellice.] Will you point out Pembina. (*The same was pointed out.*)

1468. Mr. Roebuck.] What is the number of the population in those places?—Eight thousand.

1469. Whites and altogether?—Yes.

1470. Mr. Edward Ellice.] Have you put it in in detail?—Yes.

1471. You were also asked to put in the census of the Indian population in detail over the whole territory?—Yes. Here is the census of the Indian population. There is a list of the Company's trading posts, and the estimated number of Indians frequenting those posts. (*The Witness delivered in the same.*)

Vide Appendix.

1472. Mr. Roebuck.] Will you state the total?—The Indians, east of the mountains, 55,000; west of the mountains, 80,000; Esquimaux, 4,000.

1473. What is the date of that census?—Last year.

1474. Have you any census for 20 years back?—We have no regular census. It is a very difficult matter to get a census; the tribes are so migratory that it is impossible to fill up a correct census; this is an estimation.

1475. Did the Company ever attempt to make a census in times past?—We have attempted it in various parts of the country.

1476. Have you that census?—I have no census.

1477. Could you get it?—Not in less than two or three years; two years certainly.

1478. Why would it take you that time to get it?—On account of the distance; sending off now, we could not get the census in the most remote part of Mackenzie's River before 18 months or two years from this date.

1479. I asked you if the Company had made attempts to get a census some years back, and you said they had?—Yes, we have, from time to time, in different parts of the country.

1480. Can you put the Committee in possession of those censuses?—I think not.

1481. Why not?—I do not know that they have been sent here. But our estimate of the population has been confirmed by travellers; for instance, Colonel Lefroy took an estimate of the population.

1482. You give the census now. I want to get the census 20 years back to know whether the population has increased or decreased?—I cannot supply that.

1483. Mr. Edward Ellice.] Colonel Lefroy's estimate was made in 1843, I think; that is 13 years ago?—Yes.

1484. When was Major Warre's made; in 1845, I think?—Yes.

1485. With regard to the use of spirituous liquors, you were asked the other day whether there were any rules in the Council, or any published regulations regarding them; have you got any such rules?—Yes. I have first an extract from the standing rules and regulations of the fur trade, dated 1843, prohibiting the use of spirituous liquors. Likewise, a copy of the 42d minute of the Council for the Southern department, dated 1851, prohibiting the importation of spirituous liquors into that department. Thirdly, a copy of an agreement,



Sir G. Simpson. - dated 13th May 1842, between the Hudson's Bay Company and the Russian-American Company, prohibiting the use of spirituous liquors on the North-west coast of America.

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Vide Appendix.

1486. Will you hand those in?—(*The Witness delivered in the same.*)

1487. You were also asked with reference to the refusal of the Company to export some goods belonging to a man named Sinclair, at Red River?—Yes.

1488. Have you any explanation to give of that circumstance?—In 1844, Mr. Sinclair forwarded to York a quantity of tallow, for the purpose of shipment to England in the Company's vessel. The ship was so full that a large quantity of the Company's property and Mr. Sinclair's tallow were left out; as it was doubtful whether room could be found in the following season the Company took the tallow off the hands of Mr. Sinclair, on his own terms, on the 25th of July 1845. But although the property of the Company it remained there for a year afterwards, for want of room in our ships.

1489. Mr. Roebuck.] Was there any attempt to accumulate tallow by other persons, besides Mr. Sinclair, the next year?—Mr. Sinclair, and, I think, Mr. M'Dermot, collected tallow and sent it down for shipment to York Factory.

1490. The next year?—In the year 1844.

1491. That was the first year; I asked you with reference to the second year?—The second year I am not aware that there was any tallow shipped.

1492. Was there an accumulation of tallow by other parties besides Mr. Sinclair in that territory?—I think not.

1493. There was none brought?—None that I am aware of; Mr. Sinclair and Mr. M'Dermot were the only two parties that I have any recollection of as having collected tallow for the purpose of shipment to England.

1494. I think you say the Company left the tallow there, and they did not buy it until the next year?—They could not ship it; a large quantity of the Company's goods were likewise shut out.

1495. That is to say, the Company having the exclusive right of trading there, did not provide shipping enough to carry it on?—Yes; there was not shipping enough that season.

1496. Mr. Edward Ellice.] But I think you stated the other day that there was no objection on the part of the Company to any other person chartering a freight if he liked; to take away or to bring anything he wanted?—Not at all; I have suggested to Mr. M'Dermot and Mr. Sinclair, and various other people, that they had better charter a ship for themselves.

1497. Mr. Roebuck.] Do you mean to say that the Company would allow anybody to send ships into Hudson's Bay, to trade in that part of the world?—No, not for the purpose of trade; I said that the inhabitants of Red River are quite at liberty to import their own supplies in their own ships.

1498. How much tallow was there?—There may have been a few tons; I do not exactly recollect the number of packages.

1499. And you suggested to the senders that they should get a large ship, to carry 200 tons of tallow?—No; we take out about 10,000 l. worth of property for them sometimes.

1500. You say that you offered to those gentlemen, Mr. Sinclair and Mr. M'Dermot, the power to charter a ship to carry that tallow to England?—Yes; at that time they were talking of forming a large association for the purpose of breeding cattle for the export of tallow, and for growing hemp or flax; I suggested that they should charter a vessel for themselves for such purposes.

1501. Mr. Edward Ellice.] Have the Company ever chartered vessels so small as 200 tons to take out their property?—Yes, several; there was a ship called the "George," and others.

1502. Mr. Roebuck.] There were 200 tons of tallow left behind that year?—I do not say there were 200 tons, but there was a quantity of tallow; I cannot fix upon any specific amount.

1503. You say there was no increase of that quantity the next year?—No, I do not think there was any.

1504. And you suggested to these parties that they might then charter a vessel to carry home that tallow?—No, not then, but previously for many years I had suggested it; they talked of forming a large export trade of colonial produce; I said "Very well, there can be no objection on the part of the Company."

1505. We are now directing our attention to this portion of tallow, and you tell us that you suggested to these parties that they might charter a ship; did you suggest to them that they might charter a ship to carry home that tallow?—No.

1506. What did they do with that tallow?—They sold it to the Company.

1507. They could do nothing else I suppose?—They might have allowed it to remain there till there was an opportunity of exporting it.

1508. Till it pleased the Company to take it home?—No, not till it pleased the Company to take it home, but till they had an opportunity.

1509. What opportunity could they have?—Their own ships.

1510. That is to say, if they chartered ships according to your suggestion?—The Company have certain ships; they generally send two ships a year to York Factory, and if there was room in those ships, they would naturally take tallow as a matter of course, or any other produce they might have.

1511. Do you not think that a mode of proceeding which would put an end to all trade?—No; I think if the trade was sufficiently extended, the Company would provide shipping, or the settlers might provide shipping themselves.

1512. Was not there more produce than the Company's ships could carry home upon that occasion?—Yes; perhaps there were 30, 40, 50, or 60 tons.

1513. I understood you 200?—You said 200; I said there were a few hundred weight, or possibly tons.

1514. It was for that that they were to charter a ship?—No.

1515. Mr. Gregson.] Did you not say that you had not sufficient tonnage that season for your own goods?—We had not sufficient tonnage that season for our own goods; we were obliged to leave out some of our own goods.

1516. Mr. Roebuck.] That is to say, you did not charter vessels enough even for your own trade?—Yes.

1517. And yet you were traders?—Yes; it very frequently happens in the port of London, as in every other port, I believe, that goods are left out.

1518. With respect to the manufactured goods which you take out to that territory, have you any account of the amount of goods which you annually take out to that territory?—No.

1519. Could you get it?—I could; I could obtain an estimate of it.

1520. Possibly, not knowing the actual quantity, you can tell me the mode in which the goods, whatever may be the quantity, are distributed?—I think the imports into the country by the Company are about 60,000 *l.* a year; at the York Factory, Moose and East Main; that is to say, to the Bay.

1521. Can you give me any idea how that 60,000 *l.* worth of goods is distributed over that immense territory?—I think about two-thirds of that quantity of goods is given to the Indians; however, this is merely an approximation; I have no figures.

1522. What was the number of Indians which you just now stated?—On the east side of the Rocky Mountains, 55,000.

1523. I suppose that quantity is confined to the east side of the Rocky Mountains?—Yes.

1524. You distribute 40,000 *l.* worth of goods among 55,000 Indians?—I think that is about the estimate.

1525. What are those goods usually composed of?—British manufactures; the staple articles are blankets, cloths, arms, ammunition, iron works, axes and various things.

1526. I will direct your attention to arms; in what way are they sold; are they sold by barter or for money?—They are sold by barter.

1527. For so many skins?—For so many skins.

1528. When you sell a gun to an Indian, do you ever take inferior skins for that gun?—We outfit the Indian.

1529. Cannot you answer me that question?—We do not sell a gun for skins; we give the gun to the Indian, as everything else, on credit, and he pays for those supplies in the spring of the year.

1530. Supposing a gun is sold to an Indian, would you take in payment an inferior kind of skins?—We take in payment whatever he can give us.

1531. If an Indian had nothing but musk rat skins, you would take those?—Yes.

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1532. Do you mean to tell me that?—I mean to say that we would take from an Indian whatever he could give us. The Indian must have certain supplies.

1533. My question is a very plain one; would you take musk rat skins in payment for a gun from an Indian?—Certainly; we take whatever the Indian can give us.

1534. And you mean to state that to me, that guns are sold to Indians with the full understanding that they may pay you back in musk rat skins?—If an Indian has nothing but musk rat skins, we will take musk rat skins.

1535. Supposing that were to occur with an Indian once, would he be likely to get a second gun?—Yes, decidedly, if he required it.

1536. Do you know the relative proportions between musk rat skins and beavers?—We have a variety of tariffs; it depends upon the part of the country where the goods are traded; as, for instance, in Canada we pay in a great degree money for our furs. On the American frontier we pay frequently in money; in the interior it is principally a barter trade; and on the frontier we are regulated in our prices by the prices given by opposition.

1537. Are the prices rather higher upon the frontier than they are in the interior of the country?—Yes.

1538. Does not that arise from the competition?—Yes.

1539. So that the Indian, where there is competition, gets more than he does where there is none?—He does.

1540. Does not that rather improve the condition of the Indian?—No, certainly not.

1541. So that getting more does not improve him?—No, it does not improve his condition. I think that the condition of the Indian, in the absence of opposition, is better than where he is exposed to opposition.

1542. *Chairman.*] For what reasons?—The absence of spirituous liquors.

1543. *Mr. Roebuck.*] First of all let us understand this: in the interior of the country you say you barter with the Indian?—Yes.

1544. And on the frontier you give him money?—That frequently happens in some parts of the country.

1545. On the frontier he gets a larger price for his goods than he does in the interior?—Yes.

1546. And you say that notwithstanding that, he is better off in the interior than he is on the frontier, because in the one case he gets spirituous liquors, and in the other case he does not?—And in other respects. The Indian in the interior depends upon us for all his supplies; whether he is able to pay for them or not, he gets them; he gets his blankets, he gets his gun, and he gets his ammunition. If from death in his family, or any other cause, he makes no hunt, it cannot be helped.

1547. I suppose you recollect that you distribute among the Indians less than 1 l. a head?—Very possibly we do.

1548. I want you to tell me the condition of the Indian in the interior: is he ever starved to death in the winter?—Very rarely.

1549. So that if travellers tell us that story they tell us a traveller's story?—Indians do starve as whites do starve sometimes.

1550. Have you ever heard of Indians being reduced to cannibalism during the winter?—Yes, I think I have, and of whites likewise.

1551. Because they have not enough to eat, I suppose?—Yes.

1552. Upon what, in the hunting territory, does the Indian live?—In the prairie country he lives principally upon buffalo meat.

1553. Does the buffalo reach to where the fur country is?—There are a few furs in the buffalo country.

1554. I am talking of the fur country, where the people pass their time in hunting for furs: how do they live in the winter?—They live in a great degree upon fish.

1555. Are they from one year to another fully supplied with fish?—I think generally speaking they are.

1556. You still have instances in your recollection of cannibalism occurring?—Cannibalism has occurred repeatedly.

1557. When did it occur in your recollection?—I do not exactly recollect; I think

I think there were some cases of cannibalism in the last few years in the Athabasca country.

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1558. I have before me a letter of Mr. Kennedy: I suppose you have heard of Mr. Kennedy?—There are several Kennedys; which Kennedy do you mean?

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1559. He is a person who has quarrelled with your Company, I believe; and he wrote a letter to Lord Elgin?—William Kennedy.

1560. There is this passage in his letter; and I want to ask you whether you are at all cognizant of the facts: quoting from a letter received by him, he says, "You will be grieved to learn that the curse which had effect in the old country has extended here, though arising from causes of more frequent occurrence than even the failure of the crops. Starvation has, I learn, committed great havoc among your old friends the Nascopies, numbers of whom met their death from want last winter; whole camps of them were found dead, without one survivor to tell the tale of their sufferings; others sustained life in a way the most revolting, by using as food the dead bodies of their companions; some even bled their own children to death, and sustained life with their bodies!" Quoting from another letter, he says, "At Fort Nascopie the Indians were dying in dozens by starvation; and, among others, your old friend, Paytabais." A third he quotes as saying, "A great number of Indians starved to death last winter; and ——— says it was ———'s fault in not giving them enough of ammunition." Do any facts like that come within your knowledge?—No; that is an exaggerated statement.

1561. In your 37 years' experience in that territory, you have never heard of any transactions like that, and deaths like that?—Never, except in Mr. Kennedy's letter.

1562. Not in your own experience?—Certainly not.

1563. Mr. *Edward Ellice*.] In what part of the country is that?—Upon the Labrador coast.

1564. Mr. *Roebuck*.] Then you do not believe that statement?—I do not.

1565. Where is Fort Nascopie? (*The same was pointed out.*)—It is on the Labrador coast.

1566. Mr. *Edward Ellice*.] That is in Canada, is it not?—It is in Newfoundland.

1567. Mr. *Roebuck*.] Does not the Hudson's Bay Company's territory extend over Labrador?—No; it is a part of Newfoundland.

1568. So that that northern peninsula does not belong to the Hudson's Bay Company?—The whole does not.

1569. Mr. *Grogan*.] But is that fort which Mr. Roebuck is questioning you about, in Labrador; or is it in Rupert's Land?—It is in Labrador.

1570. Mr. *Roebuck*.] It is pointed out as on the Green; then it is in the Hudson's Bay Company's territory?—I think not.

1571. Mr. *Edward Ellice*.] Have you examined that map?—I have not attentively. I had not seen it till I came in just now.

1572. Do you know whether that fort belongs to the Hudson's Bay Company?—It does; it is a post or establishment called the Post of Nascopie. These posts are moved from time to time according to circumstances.

1573. Mr. *Roebuck*.] Can you remove a fort?—A fort is half-a-dozen log huts, and may be erected by half a dozen men in about a week; that is what we call a fort.

1574. It bears the same name wherever it travels?—We call it either a post or a fort.

1575. Do you mean to say that you move a fort about?—We call it an outpost, a trading post. I do not call it a fort.

1576. It is called a fort here?—It may be so; it is a misnomer.

1577. Do you mean to say that you have no Fort Nascopie?—We have an outpost called Nascopie.

1578. You have no fort called Nascopie?—We have not.

1579. Mr. *Grogan*.] It is a station?—It is a station.

1580. Mr. *Edward Ellice*.] And those stations depend upon the time they are occupied?—Exactly so.

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1581. Mr. Grogan.] Has that station ever been abandoned?—I really cannot tell; I think it is very likely.

1582. But has it been abandoned?—I really cannot tell; we move an establishment according to circumstances. If the fish and the other means of subsistence are not sufficiently abundant, we move it to another point, 10, 20, or 30 miles distant.

1583. Mr. Roebuck put a question to you about the death of a great number of natives adjoining a fort, which at first you were under the impression was in Labrador?—Yes.

1584. Now it appears that it is in the Hudson's Bay Company's territory?—I am not quite sure that it is; I am rather disposed to think it is not.

1585. Mr. Roebuck.] You distinctly said that Nascopie was a station belonging to the Hudson's Bay Company?—Yes.

1586. This account speaks of Nascopie?—Yes.

1587. Therefore it belongs to the Hudson's Bay Company?—It did belong to the Hudson's Bay Company.

1588. Mr. Grogan.] Has it ever been abandoned?—I do not even know whether it is at present occupied or not.

1589. Mr. Edward Ellice.] It is still occupied?—Yes.

1590. Mr. Roebuck.] So that it still belongs to the Hudson's Bay Company?—It always has belonged to the Hudson's Bay Company, when it has been occupied.

1591. It just now belonged to Labrador?—Upon the coast of Labrador; we have establishments upon the coast of Labrador.

1592. Mr. Blackburn.] Are these posts sometimes in Labrador, and sometimes in the Hudson's Bay territory?—They are moved as circumstances may render advisable.

1593. Mr. Roebuck.] But they are always under the command of the Hudson's Bay Company?—Yes.

1594. So that wherever they are moved to they belong to the Hudson's Bay Company?—Hudson's Bay establishments are under the control of the Hudson's Bay Company, but there are other establishments in the immediate neighbourhood.

1595. Chairman.] Is there any arrangement with the government of Labrador, by which you use that territory for your purposes?—It is open for anybody.

1596. In truth it is practically unoccupied?—Yes.

1597. Mr. Roebuck.] Will you allow me to read to you another passage: "There are some extensive tracts of country in which the means of subsistence are scanty in the extreme. In the region lying between Lake Superior and Lake Winnipeg, the natives, during the winter, can with difficulty collect enough of food to support life. In the country lying immediately north of the Canadas, though fur-bearing animals are still comparatively numerous, and the trade consequently valuable, the poor Indians have at all times a hard fight against famine. In this tract of country fish is at all seasons scarce, and in winter the sole dependence of the natives for subsistence is placed upon rabbits (the most wretched food upon which to exist for any time that can possibly be conceived), and when these fail the most frightful tragedies at times take place. Parents have been known to lengthen out a miserable existence by killing and devouring their own offspring"; do you believe that?—That is an exaggerated statement.

1598. Did you ever know a book called "The Life of Thomas Simpson"?—I did.

1599. By whom was it written?—It was written by Mr. Thomas Simpson, I believe.

1600. And if that is an extract from Mr. Thomas Simpson's book, you say it is an exaggeration?—I do not know what part of the country he speaks of.

1601. Between Lake Superior and Lake Winnipeg?—There is a very thin population there.

1602. Who was Mr. Thomas Simpson?—Mr. Thomas Simpson was a distant relative of mine.

1603. Was not he a long time in the Company's service?—No.

1604. Was

1604. Was not he a long time in that country?—No; when I say not a long time, I speak comparatively. I think he may have been six or seven years in the country altogether, or seven or eight years with me. Sir G. Simpson.  
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1605. You say that that statement made by him (because you say the life is written by himself), is an exaggeration?—Yes; between Red River and Lake Superior, which I believe is the tract of country he speaks of, the population is exceedingly thin, and never was numerous.

1606. Do you know a book called "Ballantyne's Hudson's Bay"?—Yes, I have read it.

1607. In that book there is this statement: "At these posts the Indians are frequently reduced to cannibalism, and the Company's people have on more than one occasion been obliged to eat their beaver skins; this was the case one winter in Peel's River, a post within the Arctic circle in charge of Mr. Bell, a chief trader in the service; and I remember well reading in one of his letters, that all the fresh provision they had been able to procure during the winter was two squirrels and one crow; during this time they had existed on a quantity of dried meat which they fortunately had in store, and they were obliged to lock the gates of the fort to preserve the remainder from the wretched Indians, who were eating each other outside the walls; the cause of all this misery was the entire failure of the fisheries, together with great scarcity of wild animals. Starvation is quite common among the Indians of those distant regions; and the scraped rocks, divested of their covering of *tripe de roche*, which resembles dried seaweed, have a sad meaning and melancholy appearance to the travellers who journey through the wilds and solitudes of Rupert's Land"—Yes; Mr. Ballantyne never was in that country; he does not know the country. The cases of cannibalism are very rare indeed.

1608. I will read to you a very short passage, and ask you whether it is a true description of Mr. Thomas Simpson: "No man in the Company's service had such opportunities as he enjoyed of becoming acquainted with their management, and none was better able to appreciate its effects;" is that an accurate description of Mr. Thomas Simpson?—No, I think not; he acted as my secretary for a short time, but I do not think his judgment was very sound upon many points.

1609. If those words come from a report on the part of the Hudson's Bay Company, then they are incorrect?—Yes; I do not conceive that his judgment was sound upon many points.

1610. I ask you, if those words come from a report made by the Hudson's Bay Company, still, notwithstanding that, they are incorrect?—Yes; his judgment is lauded a little higher than I think it should be.

1611. Who made that report, do you know?—I really do not recollect.

1612. There was a letter written by Sir J. H. Pelly, Bart., to Earl Grey, dated "Hudson's Bay House, 24th April 1847." There is, as an enclosure in Sir John Pelly's letter to Lord Grey, a report on the memorial of Mr. A. K. Isbester and others, to the Secretary of State for the Colonies; that report, I suppose, was a report of the Hudson's Bay Company. In that report is the description which I read to you of Mr. Thomas Simpson; in spite of this coming from the Hudson's Bay Company, you say that it is an incorrect description of Mr. Thomas Simpson?—Mr. Thomas Simpson was a very active, energetic man, but not a man of sound judgment upon many points.

1613. Are you aware of a complaint made by the American Government about the sale of spirits by the Hudson's Bay Company?—No, I am not.

1614. You are not aware that the American Government applied to the English Government in consequence of certain complaints made to them, the American Government, of the sale of spirits by the Hudson's Bay Company?—No, I do not recollect any such complaint; there may have been one.

1615. Are you at all aware whether the numbers of the Indians are diminishing now?—No; I think the Indians of the thickwood country are increasing in numbers; the population there, I think, is increasing.

1616. You say that in different parts of the territory different prices are charged by the Company for the goods they sell to the Indians?—Yes.

1617. At the mouth of the Red River what is the per-centage of the tariff added to the cost price of goods?—I cannot say at the Red River; because it

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depends entirely upon the price given by the Americans and others upon the frontier.

1618. Is the mouth of the Red River near the frontier?—The mouth of the Red River is close to the frontier.

1619. I would say the mouth of Mackenzie's River?—I cannot tell the precise tariff; I have no copy of the precise tariff; they pay a higher price for their goods than those nearer the coast; the returns do not come to market until about from six to seven years after outfits are issued.

1620. Mr. *Edward Ellice*.] That is to say, that you give less for the furs?—We give less for the furs.

1621. You take more furs, in fact, for an article?—Yes; our system of dealing is this: Indians require certain necessary supplies to enable them to hunt, and these we provide them with.

1622. Mr. *Roebuck*.] Do you know the quantity of beads which you have imported per annum?—I do not; they are not an article of trade; they are given as presents.

1623. You never give so many beads for so many skins?—Never; they are entirely gratuities; beads are never traded, to my knowledge; if they are, it is quite contrary to instructions.

1624. Do you know the amount of marten skins imported last year?—I do not; I cannot tell from recollection. Awls, gunflints, gun worms, hooks, needles, thread, beads, knives, gartering ribbons, &c., are given as gratuities; about 20 per cent. of the outfit in those articles are given as gratuities.

1625. So that a good knife is not considered an article of commerce at all?—No; it is given as a gratuity.

1626. And that is the statement which you make of the way in which you deal with the Indians with knives?—That is the usual practice.

1627. So that if a knife were to cost 10s., you would make a present of it?—We never give 10-shilling knives; they are too expensive an article; we cannot afford to pay such prices.

1628. Do you ever give 5s. for a knife?—No never.

1629. Half-a-crown?—I cannot tell precisely what the cost price of a knife may be, but I should think the cost price of a knife is high at half-a-crown for the Indian trade.

1630. Was not there some agreement or some bond entered into by the Hudson's Bay Company, that they would send the criminals to be tried in Canada?—There is a concurrent jurisdiction in Canada.

1631. Will you answer my question?—I am not aware of any bond, but very likely there may have been; I do not recollect.

1632. So that though you have been Governor for 37 years of that territory, if such a thing has occurred, it does not now occur to your memory?—I do not recollect; the cases are so very few.

1633. In your long experience of that country are you aware of any criminals ever having been sent to be tried in Canada?—Yes.

1634. How many times?—On one occasion; there were three men sent for trial for murder; and I think that case was noticed in the former investigation of the Committee.

1635. *Chairman*.] Supposing an arrangement was made by which any portion of the territory now administered by the Hudson's Bay Company, which might be supposed to be fit for the purposes of colonisation, was separated from that administration, such a district of country, for instance, as the Red River, and any land in the neighbourhood of the Red River, or of the frontier of Canada, or land on the extreme west coast in the neighbourhood of Vancouver's Island, would there be any difficulty in the Hudson's Bay Company continuing to conduct their affairs after that separation had taken place?—I think not, because I do not believe there would be any settlement for a great length of time; I do not believe there would be any migration into the country for ages to come.

1636. Suppose that was left to be tested by experience; suppose any country, such as it could be thought would be available for the purposes of colonisation, was taken from the administration of the Hudson's Bay Company under a suitable arrangement, would it interfere in any way with the management of the affairs of the Hudson's Bay Company, or of such territory as was left?—I think

think not, provided the incoming population were restricted from interfering with the fur trade.

1637. Do you mean in the same manner in which the inhabitants of Canada are now restricted from interfering?—No; they are not restricted from interfering with the fur trade of Canada.

1638. But with your fur trade?—Yes; provided they were so, I think there would be no decided objection.

1639. Is the constitution of your Company, in your opinion, particularly favourable to the management of colonists, or of any thickly settled districts?—I think the territory held by the Company is not favourable for settlement.

1640. I do not mean the physical nature of the territory; but do you think it advisable, for your own objects, that you should have the administration or management of anything which could be called a thickly peopled settlement?—No, I do not think it is important that we should.

1641. It is rather different from your usual course, is it not?—Yes, I think so.

1642. For instance, do you think it would do you any harm if Vancouver's Island was taken from you and made a British colony?—I think not.

1643. Do you think that if there was any country on the mainland in that corner in the vicinity of Vancouver's Island to which it was thought likely that settlers would be attracted, it would interfere with your affairs as a trading Company if an establishment of that kind was formed there and separated from you?—I think it would not do any harm if they were restrained from interference with the fur trade.

1644. In the same manner if the settlers from Canada were allowed to occupy any country in their neighbourhood, or in the neighbourhood of the Red River, which they were disposed to go to, provided, as you say, your own monopoly as traders was reserved in the fur-trading districts, it would be far from interfering with you, as I understand?—I think so. I think there would be no objection to it, provided the Company were satisfied; they consider themselves lords of the soil, proprietors of the country, in their own special territory.

1645. As fur traders, do you consider monopoly as essential to the conduct of a trade of that description?—Decidedly.

1646. What do you believe would be the consequence, supposing the trade was thrown open indiscriminately to anybody who chose to pursue it?—I think the fur-bearing race would be in very short time destroyed, and the Indians left to poverty and wretchedness.

1647. Would there be anybody then who would have any interest in preserving the fur-bearing animals, and who would not, on the contrary, have an interest in destroying them as fast as possible with a view to immediate returns?—Decidedly not.

1648. Were you acquainted with that country when there was a contest in trade, and I am afraid a contest awful in violence and acts of outrage, carried on between the North-Western Company and the Hudson's Bay Company in that country?—Yes, I was there the last year of the contest.

1649. What were the effects of that contest?—The demoralization of the Indians; liquor was introduced as a medium of trade throughout; the peace of the country was disturbed; there were riots and breaches of the peace continually taking place, and the country was in a state of great disorganization.

1650. Mr. Roebuck.]. Did that take place because the Hudson's Bay Company went to war with Lord Selkirk?—The Hudson's Bay Company did not go to war with Lord Selkirk.

1651. Then did Lord Selkirk go to war with the Hudson's Bay Company?—No; they were on the best possible terms.

1652. They fought, did they not?—No, I believe not.

1653. I am making a mistake; the Hudson's Bay Company and Lord Selkirk fought with the North-West Company?—There were breaches of the peace very frequently, from day to day and year to year, and it will be so wherever there is competition in the fur trade, whoever the parties may be.

1654. It is to those circumstances that you refer, is it not?—Yes.

1655. I think the Right Honourable Chairman put a question to you as to whether you were in the country when certain transactions occurred?—I was.



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1656. The transactions to which you referred were those which took place between the Hudson's Bay Company and the North-West Company?—Yes, the traders of Canada and the Hudson's Bay Company.

1657. And you fancy that that was the result of the free trade, if we may so express it?—Yes, I think so.

1658. And that that would be the result under any circumstances?—There would be a recurrence of the same evils if the trade was thrown open again.

1659. Are all those evils occurring in the territory of the United States at the present moment?—There is no fur trade in the interior of the United States of any consequence.

1660. Is there no fur trading upon the western coast of the Pacific from the boundary line down to California?—Very little.

1661. Is there not a fur company?—No, there is no fur company that I am aware of.

1662. So that the Americans do not accumulate furs at all?—In that part of the country they do not.

1663. Do they in any part of the country?—No, I am not aware of it; on the sources of the Missouri a good many furs are collected.

1664. Is there not an American fur company?—No, I think not; there was an American fur company; it was broken up long ago.

1665. Mr. *Charles Fitzwilliam*.] Within the last two months?—No, within the last few years.

1666. Mr. *Adderley*.] In reply to a question put by the Chairman, you stated that the Company would not object to any settlement west of the Rocky Mountains, provided such settlers were restrained from interfering with the rights of the Company as to the fur trade?—I think so.

1667. Will you describe the nature of the restraint which you would suggest?—That they should not be allowed to interfere in the fur trade, but confine themselves to agriculture or other pursuits.

1668. Do you mean, then, that the settlers west of the Rocky Mountains should be bound to maintain their own settlement in a fur-bearing condition?—No; the country adapted for settlement is not a fur-bearing country.

1669. Then what would be the nature of the restraint which you think the Company would consider necessary?—That the settlers should not go into the fur-bearing countries.

1670. The restraint would only apply to other portions of the district claimed by the Hudson's Bay Company?—Yes.

1671. Do you consider that the Company would have a right or interest in making any restrictions upon the settlement of the country itself west of the Rocky Mountains?—No, I think not.

1672. The settlement of that part of the country might be effected with no injury to the Hudson's Bay Company, without any restrictions as to the territory itself?—Provided they did not interfere with the fur trade.

1673. Mr. *Edward Ellice*.] Would the restriction of dealing with the Indians be sufficient for your purpose?—Yes, it would, I think.

1674. Mr. *Adderley*.] The country to be settled, west of the Rocky Mountains, might be settled free from any conditions relative to that country itself?—Except as regards the fur trade.

1675. *Chairman*.] How do you manage to prevent the Canadian traders now from introducing spirits into the territories of the Hudson's Bay Company, along that great extent of frontier?—They cannot pass through the country without our assistance.

1676. Is that difficulty of communication sufficient to enable you practically to prevent the trade in spirits?—Yes, decidedly.

1677. I suppose there is some smuggling in the districts immediately in the neighbourhood of the settled countries?—I think there is no smuggling in the territory of the Hudson's Bay Company, in the district of country over which they claim an exclusive right of trade, except at Red River.

1678. When you say no smuggling, do you mean that there is none of any consequence, or none at all?—I believe there is none.

1679. Lord *Stanley*.] You have posts beyond your own territory, have you not, in Canada?—Yes; we have establishments all the way down the St. Lawrence.

1680. *Chairman*.]

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1680. *Chairman.*] Have you gone on in harmony with the Canadians and the Canadian Government?—Perfectly so.

1681. *Mr. Roebuck.*] In that census which you have given in, is there an account of the numbers of the half-breeds in the Red River Settlement?—Yes; 8,000 is the whole population of Red River; that is the Indian and half-breed population.

1682. Can you give any notion of how many of those are half-breeds?—About 4,000, I think.

1683. Can you tell the Committee whether those half-breeds are improving in their intelligence?—I think they are.

1684. Have not the Company established schools there?—Yes, there are schools.

1685. Do not the half-breeds go to those schools?—Many of them do, especially the half-breeds of European parentage.

1686. Since they have gone to those schools have you found the half-breeds as submissive as they were before?—Yes, I think they are fully; more so.

1687. So that they do not give you any more trouble than they used to do?—We have little or no trouble with them.

1688. They do not demand free trade in furs; you never heard of such a thing?—They do not demand it, but they practise it; many of them do.

1689. Have you found the free trade increase since the instruction of the people increased?—No, I do not find that since the encouragement to trade has increased they have been extending their operations in that way.

1690. Do you mean to say that the free-trading has not increased of late years?—Not very materially; they have been in the habit of trading, more or less, for a great many years; perhaps there may be more engaged in it recently than there were a few years ago.

1691. So that the increase of education at the present moment has not at all increased the desire of the people to have communication with America?—No, I am not aware that it has; I am not aware that there is any particular desire to connect themselves with America.

1692. I mean to trade with America?—To trade in what?

1693. In all commodities?—I believe there is very little trade at present going across the frontier.

1694. Are you at all aware of any increased desire on the part of those people to carry on trade with the Americans?—No; I am not aware that there is any increased desire.

1695. So that we may take it as your statement that there is no increased desire on the part of that population in that respect?—They have more frequent communication with the United States than heretofore, inasmuch as they have larger dealings.

1696. *Mr. Edward Ellice.*] That is not in furs?—Not in furs; principally in buffalo robes, and a very few furs.

1697. *Mr. Roebuck.*] What do they give to the Americans?—They take cattle from Red River; buffalo robes, and a small quantity of tallow and horses; I think those are the principal articles.

1698. Do the Indians of the Red River Settlement wish to trade with the Americans?—I think not.

1699. I mean the pure Indians?—The pure Indians, I think, principally deal with us.

1700. You have found no desire on their part to conduct trade with the Americans?—No; not across the boundary line; they principally deal with us.

1701. But I want to know about their desire to have communication with the Americans: have you any proof respecting that?—I think not; there is nothing to prevent their having it if they have any desire.

1702. *Mr. Edward Ellice.*] Do not they like to sell their furs to the best bidder?—Yes, they go to the best market.

1703. *Chairman.*] And I suppose they would get spirits wherever they could find them?—Yes, I think they would.

1704. Are the fur-bearing animals on the increase or otherwise, in the Hudson's Bay territory, speaking generally?—I think towards the southern frontier they are on the decrease.

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1705. Take the whole together?—In the northern part of the country we nurse the country very much, and the country has improved and is much richer in fur-bearing animals than it was 20 years ago.

1706. Taking it altogether, is the export of furs increasing or decreasing?—It is larger now than it was at any time within my recollection.

1707. It is the most valuable fur trade in the world, is it not?—I think so.

1708. A great deal larger than the Russian fur trade?—Yes.

1709. Mr. Grogan.] You stated that in the form of the lease of land, one of the clauses was that the settler should endeavour to encourage the Christian religion?—Yes.

1710. What is the meaning of that covenant?—I do not know; I do not recollect the covenant. Perhaps you will draw my attention to it.

1711. You read a passage from one of your land deeds. Mr. Ellice asked you the conditions of grants of land to settlers. One of them you said had relation to efforts on the part of the settler to encourage morality and the Christian religion?—Yes.

1712. What meaning do you attach to that covenant?—The covenant expresses it.

1713. Will you read it?—"And for encouraging and promoting general education and religious instruction. And that he the said —, his executors, administrators, or assigns, shall or will from time to time, and at all times during the said term contribute in a due proportion to the expenses of all public establishments, whether of an ecclesiastical, civil, military, or other nature, including therein the maintenance of the clergy, the building and endowment of schools, which are or shall or may be formed under the authority of the charter or charters hereinbefore referred to."

1714. What may be the tax imposed upon the settler?—There is no tax.

1715. Then that covenant is void?—That covenant is void as far as taxation goes.

1716. There is no contribution imposed upon the settler for any of the purposes stated in that covenant; viz., the maintenance of the clergy and the maintenance of schools?—No, I think not.

1717. In answer to a question a few moments ago by Mr. Roebuck, you stated that there were schools established in the country, at the Red River Settlement for instance?—Yes.

1718. By whom were those schools established?—By the Missionary Societies; the Church Missionary Society and the Wesleyan Missionary Society.

1719. And they are still maintained by them?—They are still maintained by them, and assisted by the Hudson's Bay Company.

1720. Will you explain to me the amount of assistance which the Hudson's Bay Company give them?—There is a money grant to the Bishop of 300 £. per annum.

1721. What Bishop?—The Episcopalian Bishop of Rupert's Land. There is 100 £. in aid of schools; there is 150 £. to a chaplain at Red River; 50 £. at York; 50 £. to a chaplain at Moose; 50 £. at East Main; 200 £. in aid of the schools at Fort Victoria; to the Roman Catholic Mission at Red River, 100 £.; to the Roman Catholic Mission at Oregon, 100 £.; on the Gulf of St. Lawrence, 100 guineas; to the Wesleyan Missionary at Norway-house, 50 £.; at Oxford-house, 50 £.; Rainy Lake, 50 £.; Saskatchewan, 20 £.; and the Presbyterian Chaplain at Red River, 50 £.

1722. With regard to the sums which you have just enumerated, are those payments out of the proper monies of the Hudson's Bay Company, or out of any other fund?—Out of the funds of the Hudson's Bay Company.

1723. Exclusively?—Exclusively.

1724. If a missionary were dispatched from this country to that district to take up a location there, would he have a free passage in one of your vessels?—Yes; they usually get free passages.

1725. Are you sure on that subject?—I do not recollect that any case has ever been refused.

1726. Are you aware of any cases in which freight has been charged for missionaries going to that country in your ships?—I cannot tax my memory with that.

1727. In the Parliamentary Paper before us there is a statement of expenditure

ture for two passages in a Company's ship, and travelling expenses 41 l. 9 s.; freight, shipping, and insurance 81 l.; that is charged to the Church Missionary Society for two persons who were sent out?—Very likely it was so. If it is stated there the probability is that it was so.

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1728. Then how is that reconcileable with the fact which you have just told us, that there was no charge made?—I did not say so. I said that I could not call to memory whether there was any charge or not; but we are in the habit of allowing them these salaries.

1729. Are those salaries to these missionaries and clergymen to them as chaplains or as schoolmasters?—They are to them in the double capacity of chaplains and schoolmasters.

1730. Is there any requirement upon them on the receipt of such a salary to keep a school?—No, there is no positive requirement, but they usually do keep schools.

1731. Is it entirely optional with them whether they keep a school or not?—It is optional as far as we are concerned; we do not insist upon their keeping schools. They are under the control of the bishop of the territory, or the society to which they belong. We exercise no control over them.

1732. *Chairman.*] I think you made an arrangement with the Russian Company by which you hold under lease a portion of their territory?—Yes.

1733. I believe that arrangement is that you hold that strip of country which intervenes between your territory and the sea, and that you give them 1,500 l. a year for it?—Yes.

1734. What were your objects in making that arrangement?—To prevent difficulties existing between the Russians and ourselves; as a peace offering.

1735. What was the nature of those difficulties?—We were desirous of passing through their territory, which is inland from the coast about 30 miles. There is a margin of 30 miles of coast belonging to the Russians. We had the right of navigating the rivers falling into the ocean, and of settling the interior country. Difficulties arose between us in regard to the trade of the country, and to remove all those difficulties we agreed to give them an annual allowance. I think, in the first instance, 2,000 otter skins, and afterwards of 1,500 l. a year.

1736. Before that arrangement was made did you find that spirits got introduced owing to a sort of competition between your traders and those of the Russian Company?—Yes; large quantities of spirits were used previously to that.

1737. And you found that very injurious?—Yes.

1738. During the late war which existed between Russia and England, I believe that some arrangement was made between you and the Russians by which you agreed not to molest one another?—Yes, such an arrangement was made.

1739. By the two companies?—Yes; and Government confirmed the arrangement.

1740. You agreed that on neither side should there be any molestation or interference with the trade of the different parties?—Yes.

1741. And I believe that that was strictly observed during the whole war?—Yes.

1742. *Mr. Bell.*] Which Government confirmed the arrangement, the Russian or the English, or both?—Both Governments.

1743. *Mr. Grogan.*] Did you know or hear of one of the servants of the company, named John Saunderson?—No, I do not recollect the name.

1744. Or Peter Walrus?—No. There are many Saundersons in the service; it is a common Orkney name, and we employ a good many Orkney men.

1745. Is it a fact that a distillery has recently been established at the Red River Settlement?—There was a distillery erected a good many years ago, but never put in operation. We have never attempted distillation. By the desire of the settlers we built a distillery to please them; but we have never put it in operation.

1746. *Mr. Edward Ellice.*] It was stopped by the Company in London, I believe?—It was.

1747. *Mr. Grogan.*] What privileges or rights do the native Indians possess strictly applicable to themselves?—They are perfectly at liberty to do what they please; we never restrain Indians.

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1748. Is there any difference between their position and that of the half-breeds?—None at all. They hunt and fish, and live as they please. They look to us for their supplies, and we study their comfort and convenience as much as possible; we assist each other.

1749. Lord Stanley.] You exercise no authority whatever over the Indian tribes?—None at all.

1750. If any tribe were pleased now to live as the tribes did live before the country was opened up to Europeans; that is to say, not using any article of European manufacture or trade, it would be in their power to do so?—Perfectly so; we exercise no control over them.

1751. Mr. Bell.] Do you mean that, possessing the right of soil over the whole of Rupert's Land, you do not consider that you possess any jurisdiction over the inhabitants of that soil?—No, I am not aware that we do. We exercise none, whatever right we possess under our charter.

1752. Then is it the case that you do not consider that the Indians are under your jurisdiction when any crimes are committed by the Indians upon the Whites?—They are under our jurisdiction when crimes are committed upon the Whites; but not when committed upon each other; we do not meddle with their wars.

1753. What law do you consider in force in the case of the Indians committing any crime upon the Whites; do you consider that the clause in your licence to trade, by which you are bound to transport criminals to Canada for trial, refers to the Indians, or solely to the Whites?—To the Whites, we conceive.

1754. Mr. Grogan.] Are the native Indians permitted to barter skins *inter se* from one tribe to another?—Yes.

1755. There is no restriction at all in that respect?—None at all.

1756. Is there any restriction with regard to the half-breeds in that respect?—None, as regard dealings among themselves.

1757. Lord John Russell.] Supposing any person was to come from the United States to trade with them, would you interfere?—We should oppose it by every means in our power, but not by violence.

1758. By what means would you prevent it?—By giving higher prices, or watching the Indians.

1759. But you would not drive away such a person?—No.

1760. Mr. Grogan.] Have you ever seized and confiscated the goods of parties who were trading in that way with the Indians?—If it has been done, it has been of very rare occurrence; I do not recollect the circumstances.

1761. It is stated in these papers that an instance occurred where the goods of some of the settlers were seized and confiscated on the suspicion that they were intended for the purpose of trade with the Indians?—It has been of such rare occurrence that I have not the least recollection of it.

1762. You stated on Thursday that the price of land to a settler was 7 s. 6 d. an acre?—From 5 s. to 7 s. 6 d. an acre.

1763. That is at the Red River settlement?—Yes.

1764. Is that price ever exacted?—Very rarely.

1765. If you practically give the land free, why is it held out to the world that you demand 7 s. 6 d.?—We consider ourselves proprietors of the soil.

1766. Has the 7 s. 6 d. ever been paid?—It has been paid.

1767. Lord Stanley.] You claim the right to impose that price, but you do not impose it in every case?—That is so.

1768. Mr. Edward Ellice.] But inasmuch as it has been the interest of the Company to settle the land as fast as possible, they have withdrawn from taking the price, because they thought it for the company's interest?—Yes.

1769. Mr. Grogan.]—What amount may the Company ever have received from settlers in that way by the sale of land?—I think from the beginning of time it does not exceed from 2,000 l. to 3,000 l.

1770. Within your own government can you say what sum has been received?—I cannot tell from recollection, but I think under 3,000 l.

1771. In what way was that money applied?—It was the property of the Company.

1772. It was applied to the general funds of the Company?—Yes; part of the time it went to the estate of Lord Selkirk; Lord Selkirk was then the proprietor of the soil.

1773. I asked

1773. I asked you, within the time that you had been Governor, am I to understand that the sum of 3,000*l.* has been received from settlers for the purchase of land?—Yes. Sir G. Simpson.  
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1774. Since your own government?—Since my own government.

1775. *Mr. Edward Ellice.*] Is that since the year 1834?—I think not so much since the year 1834.

1776. Previously to 1834 the Red River Settlement belonged to Lord Selkirk, did it not?—Yes.

1777. It had been sold a long time previously by the Hudson's Bay Company to his Lordship for the purposes of colonisation?—Yes.

1778. He re-transferred it to the Company in 1834?—Yes.

1779. And you paid his Lordship for that acquisition?—Yes.

1780. *Mr. Grogan.*] You stated that the sum of 3,000*l.* had been paid by settlers for the purchase of land?—I think so.

1781. To whom was that money paid?—Partly to Lord Selkirk or the heirs of Lord Selkirk, and partly to the Company.

1782. Can you say how much was paid to the Company?—I cannot from recollection.

1783. Was there anything paid to the Company?—Yes.

1784. 100 *l.*?—I think so; more than that.

1785. 1,000*l.*?—Perhaps not 1,000 *l.*; or possibly it may be 1,000*l.*

1786. Did that go into the general funds of the Company, or was it applied to any other purpose?—I think it went into the general funds of the Company.

1787. It was not applied in the construction of roads?—No; monies were given from time to time for the construction of roads.

1788. From the funds of the Company?—No; from the general funds. There is an import duty of 4 per cent. chargeable upon all goods imported into the settlement of Red River. The Hudson's Bay Company are the principal importers, and they pay the largest portion of that duty.

1789. Am I to understand that the amount of that duty is expended upon roads?—It is expended for public purposes—roads, and bridges, and schools, and in various other ways for public purposes.

1790. *Mr. Edward Ellice.*] Is it the fact that the Company pay 4 per cent. upon all their imports into the colony for that purpose?—That is the fact.

1791. *Mr. Grogan.*] Then did the sum which you spoke of as having been given by the Company to the schools come from this source?—It is without reference to this source.

1792. Then the money which you have now spoken of derived from the customs of the country, and being given in aid of schools, is additional to the sum you have already mentioned as having been paid by the Company in aid of schools?—Yes.

1793. Can you give the Committee any estimate of what the amount of that expenditure on roads and public improvements would be?—No, I cannot. Perhaps 600 *l.* or 700 *l.* a year.

1794. You described the country about the Red River as being very productive?—Yes, upon the banks of the river.

1795. But you stated that your impression was that the land beyond a mile from the river was not so good?—It is not so good.

1796. On what is that opinion based?—Upon experiment; trial. It has been tried and found not good, and discontinued.

1797. *Mr. Gladstone.*] I did not quite clearly understand you whether the price of 7*s.* 6*d.* per acre or 5*s.* per acre still purports to be the rule of the Company?—That is the rule of the Company. We sell very little land. Our sales of land from the beginning of time, I believe, are only from 2000 *l.* to 3000 *l.*

1798. But the settlements are very much more considerable than would be indicated by such a price?—Decidedly.

1799. In point of fact, then, a very small portion of land has been sold?—Very small.

1800. Has a long time elapsed since any price was received for land at the Red River?—I think there has been very little money received for land at the Red River for several years.

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1801. Have several years elapsed since, in any instance, a price was received for land to the best of your remembrance?—If money has been received for lands it is to a very small amount. If a person retiring from the service expresses a desire to go to Red River to settle, we say, "In that case you must become a purchaser of land." And he may purchase his 50 acres, and pay down 25 per cent. upon the amount.

1802. Supposing an application is made for land, what consideration governs the authorities of the Company in determining whether to sell or whether to grant?—The means of the parties generally.

1803. If you think them able to buy then you sell?—Yes.

1804. If you do not think them able to buy then you grant?—They squat; we never disturb anybody.

1805. Then you do not make grants of land?—We give them grants when they apply for them, but they rarely apply.

1806. Then, do you encourage squatting?—We cannot prevent it.

1807. Do you endeavour or desire to prevent it?—No; if the people cannot afford to pay for land, we cannot interfere with them.

1808. Lord John Russell.] How do you prevent disputes between two squatters?—We never have any disputes upon the subject of lands.

1809. Mr. Gladstone.] Is that owing to the abundance of the land?—Yes.

1810. Mr. Adderley.] Are there many squatters?—They are nearly all squatters.

1811. Out of how many?—The population is 8,000.

1812. Are those 8,000 squatters?—No; some have paid.

1813. What proportion of the 8,000 do you suppose have paid?—The whole receipts for land, from the beginning of time, are certainly under 3,000 l.

1814. Can you tell us at all, in round numbers, what proportion of the families who have settled at the Red River Settlement, have paid for land?—Nineteen twentieths have not paid.

1815. How do you reconcile the statements you have just made as to the mode of disposing of land with your answer to Question 1217, in which you said that land was granted at sums varying from 5s. to 7s. 6d. an acre, not in fee simple, but under leases of 999 years?—The parties frequently set themselves down on land without consulting us; we never disturb them.

1816. I asked you, in Question 1207, "If I wanted to buy land in the Red River Settlement, upon what terms could I buy it?" Your answer was, "Five shillings an acre?"—Yes.

1817. Am I to understand that if I applied for it for nothing I should get it, equally?—If you were to squat, we should not, in all probability, disturb you.

1818. You said that free grants were given to those who applied for them?—Yes.

1819. Squatters do not apply for free grants, do they?—We point out the situations where they may squat; we do not give them titles unless they make some arrangement for the payment.

1820. Are we to understand that squatters squat under terms of agreement with the Company?—Yes; very frequently.

1821. Mr. Roebuck.] Then why are they called squatters?—A man without means, coming into the country, says, "I should like to settle there, but I have not the means of paying;" we say, "There is no objection to your settling there."

1822. Mr. Adderley.] Are there settlers in the Red River Settlement who squat without any agreement with the Company?—Many.

1823. Am I to understand that a great proportion of what you call squatters have squatted under an agreement with the Company?—No.

1824. May we understand distinctly what you mean by the word "squatter"?—A man who comes and sets himself down upon land without title.

1825. Is it possible that a squatter should settle under distinct terms of understanding with the Company, even though he does not pay for his land?—Yes; very likely a man without means would say, "Where can I settle?" We should point out a certain district of country which we thought desirable, and the best situation for settlement.

1826. Are there many squatters in the Red River Settlement who had their location pointed out by the Company, and who paid nothing for their land?—Many.

1827. Is

1827. Is that the case with the majority of them?—I think the majority of them have settled themselves down where they liked and we could not prevent it.

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1828. Without asking the Company?—Yes.

1829. Mr. Bell.] Then you mean that the difference is that, where they settle without paying for the land, they have no agreement?—They have no agreement.

1830. And they have no title; when they apply for the land and pay for it, then they have a title?—Yes.

1831. Mr. Adderley.] When the Company assign a territory in the nature of a free grant, is there anything paid in the way of license duty?—No, nothing.

1832. Do any people settle in the Hudson's Bay territory upon licenses, without a payment per acre?—No, I am not aware that they do.

1833. Mr. Roebuck.] Is that the form under which lands are granted (*handed an indenture to the witness*)?—Yes, I think this is it.

1834. Mr. Edward Ellice.] Is that the Company's grant or Lord Selkirk's grant?—This is the Company's grant.

1835. What is the date of it?—March, 1844.

1836. Mr. Roebuck.] Is this indenture the title by which a person holds land who buys it?—It is.

1837. Amongst the engagements of the buyer, is there one that he will not part with any portion of the land?—The conditions are there; I cannot call to mind the precise conditions.

1838. Then though you have been 37 years governor of that country, you do not know the conditions upon which land is granted?—I have been very little resident during that time in Red River; there has been usually an officer in charge of Red River, who is styled Governor of Assiniboia.

1839. Are you aware that this is one of the engagements of the buyer, that he "shall not nor will at any time during the said term," which is 999 years, "underlet or assign, or otherwise alienate, or dispose, or part with, the actual possession of the said land hereby demised, or any part thereof, for all or any part of the said term, or any interest derived under the same, without the consent in writing of the said Governor and Company for the time being first had and obtained"?—Yes; that is a clause in it.

1840. Were you aware that that was in the indenture?—Yes.

1841. So that when a party buys land of you he cannot sell one particle of that land, or even let it?—Yes; but we never object to it.

1842. This is your indenture?—Yes; that is our indenture.

1843. Does that, in your view, tend to promote the settlement of the country?—I do not think it can materially affect the settlement of the country.

1844. Do you fancy that depriving a man of the power of alienating any part of his land, or even underletting it, conduces to the settlement of the country?—I do not believe that the settlers of the Red River pay much attention to the terms of their title deeds.

1845. Do you fancy that preventing a man from underletting, from selling or parting with any portion of his interest in the land, conduces to the settlement of the country?—No; I do not think it does.

1846. Do you think it hinders the settlement?—I think it does not hinder it in the Red River, because there are no applicants for land.

1847. Mr. Edward Ellice.] With reference to the question which the Chairman put to you just now, with regard to the territory being colonised, I think your answer was that you did not consider that the colonisation of any part of the territory which the Government might think proper to reserve for that purpose would be prejudicial to the fur trade, if the exclusive right was properly protected?—Yes; I think it would not be prejudicial.

1848. By the exclusive right being protected you mean the trade of the Indians being protected?—The fur trade with the Indians.

1849. With regard to the cases of starvation, I presume that the means of the Company in supporting the people in the territory very much depend upon the produce of the buffalo hunt and upon the crops raised at Red River?—Yes, the produce of the chase and the products at Red River.

1850. Would it be impossible for the Company to undertake to provide for the general population throughout the country in times of scarcity?—Quite impossible.



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1851. Mr. *Roebuck*.] Do the buffaloes extend to the Arctic circle?—The prairie buffalo does not; he is confined to the prairies; the musk ox is to be found in the Arctic circle.

1852. What proportion of the food of the inhabitants is supplied by the musk ox?—It is very small; it is entirely confined to that part of the country.

1853. In fact, you may put it out of consideration altogether?—Yes.

1854. Therefore, your answer that the food of the country chiefly depended upon buffaloes was not correct?—The food of the prairie country is buffalo; the food of the thickwood country is principally fish.

1855. Mr. *Edward Ellice*.] Is not pemican almost the staff of life of the servants of the Company in all parts?—For transport.

1856. Mr. *Roebuck*.] What is pemican?—Pemican is a compound of buffalo meat and tallow; it is a portable provision, principally used in travelling.

1857. Have you formed any idea of the quantity of pemican which is manufactured in that country per annum?—Perhaps from 2,000 to 3,000 cwt. per annum; some years more; sometimes less.

1858. And you have told us that there are 55,000 inhabitants?—East of the mountains there are about 55,000; of these about 25,000 are Indians living upon buffalo meat principally, and 30,000 live principally upon fish; that is to say, fish and rabbits.

1859. Mr. *Edward Ellice*.] But the means of existence of the servants of the Company depend upon provisions taken to the different posts from other parts?—Yes; and the fish they are able to collect; they live very much upon fish throughout the country.

1860. Has that deed which is before the Committee ever, practically speaking, been made use of by the Company to restrain settlement at the Red River?—Never.

1861. Mr. *Roebuck*.] What is the use of the deed, then?—It is so very little used that it is of no value, in fact; nineteen-twentieths of the people have no title; they squat and set themselves down.

1862. Supposing a dozen people were to start from Canada determining to settle in the Red River Settlement, would they be at all impeded by the Company?—I think not.

1863. And if instances are brought forward of great impediments being thrown in the way, you never have heard of them?—There has never been an instance to my knowledge; they squat and set themselves down wherever they please.

1864. Have the Company ever ejected anybody?—Never to my knowledge.

1865. Mr. *Grogan*.] If an emigrant, as Mr. *Roebuck* describes, come from Canada to the Red River Settlement, and be anxious to purchase a partly-improved land which some squatter had been upon, would your Company interfere to prevent the transfer of the land?—No.

1866. Would it be necessary to ask your permission?—We usually enter all such transfers in a transfer book when the parties apply; but if they do not choose to apply to us we cannot help it.

1867. Is there any fee for that entry?—None.

1868. Then is not the practical effect of such a deed as has been read to prevent any person taking such a deed from you?—I think that it is not.

1869. If a man may squat on the land, and hold undisputed possession of the part that he squats upon from you or from any one else, and if he may transfer that land to another person without obstruction, why should he take a deed from you?—That other party would not be disposed to pay unless he could have some title.

1870. Mr. *Gladstone*.] Then the restriction is operative, if so, is it not; if a purchaser from a Red River settler will not be disposed to pay unless a title is given, and if, in order to make a title, it is necessary, as it plainly must be, to show the consent of the Company, then the clause requiring the consent of the Company is an operative clause?—The cases of the purchase of land are so very rare that there is scarcely a case in point.

1871. Lord *John Russell*.] Is that deed ever made use of now, or is it disused?—When parties apply for a deed that is the deed which is given.

1872. Mr. *Bell*.] Have those settlers who now do not hold a deed applied for a deed?—I think not.

1873. You

1873. You are not aware of any applications having been made by those who hold without deed?—No; applications are not usually made for deeds; an application for a deed is a very unusual thing.

1874. They are satisfied to hold the land without a deed?—Yes.

1875. Mr. Grogan.] I understood you to explain to us that there was a certain annual sum received by the Company as duties of customs, viz., four per cent.?—Paid by the Company.

1876. To whom?—To the treasury of the Red River.

1877. Is the treasury of the Red River part and parcel of the Company?—No.

1878. Is not the government of the Red River Settlement, and of course the treasury, as a part of that government, a part and parcel of the Hudson's Bay establishment?—No; it is in the hands of the settlers themselves.

1879. Am I to understand you, then, that the Company pay four per cent. as well as the public?—They do.

1880. They paid that amount on all goods imported into the Red River Settlement to the local municipality of the Red River Settlement?—Yes, decidedly.

1881. Which money is employed in local improvements?—Yes.

1882. Is there any establishment by the Company or by the Red River Settlement, whereby if a settler wished to send a letter, for instance, he could do it?—There is a postal communication through the United States.

1883. How is it to get there?—The United States are close upon the border.

1884. How many miles is it?—About 50 miles; there is constant communication with the frontier.

1885. If therefore a letter written at Assiniboia finds its way to the frontier of the United States, the United States take care of that letter and will forward it to its destination as far as it goes through their territories?—Yes.

1886. Mr. Edward Ellice.] There is a regular post, is not there?—Yes, twice a month.

1887. Mr. Grogan.] Who maintains that regular mail?—The United States Government.

1888. Is there any mail or post, or despatch of any kind, maintained by the Hudson's Bay Company in their territories?—There are several expresses in the course of the season.

1889. Is there any mail or post or despatch maintained by the Hudson's Bay Company for the accommodation of the settlers or the public?—Yes, there is.

1890. Will you describe it?—By canoe during the season of open water, and I think there are three or four expresses in the interior in the course of the winter.

1891. In the event of a settler wishing to send letters or anything of that sort by those despatches, can he do so?—Decidedly.

1892. Is he charged for it?—There is a very small charge; I forget what.

1893. But he is charged for it?—There is something I think.

1894. Mr. Edward Ellice.] Is there a regular post maintained by the settlers between Red River and Pembina?—No, there is no regular post; at least I am not aware that there is.

1895. Mr. Roebuck.] I have a letter in my hand which is to the following effect: "My dear Sir,—As by the new regulation regarding the posting of letters, it will be necessary that Mr. McLaughlin should send up his letters open for my perusal, a thing which cannot be agreeable to him, will you have the goodness to tell him that in his case I shall consider it quite sufficient his sealing the letters in my presence without any perusal on my part, and for that purpose I shall call in at your house to-morrow evening. Believe me, &c. R. Lane." That is dated 29th December 1844?—It was quite unauthorised.

1896. Who was Mr. Lane?—Mr. Lane was a clerk then in the service of the Company.

1897. What does he mean by the new regulation: he says, "as by the new regulation regarding the posting of letters"?—It was no regulation of the Company.

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1898. Do you mean to say that there was no regulation?—There was no regulation within my recollection; there may have been a local regulation.

1899. Do you mean to say that you, being governor of that territory, if that was a regulation, you are ignorant of it?—Yes; there was no regulation to that effect that I recollect. I was governor of that country, and superintendent of the whole of the affairs of that country, but there was a local governor, who conducted the affairs of the district of Assiniboia.

1900. Mr. *Edward Ellice*.] I think we have had it before in evidence that the government of Assiniboia comprises the settlement of Red River; that there is a separate governor there, who resides there, and who governs all things within a radius of 50 miles: the colony being a settlement of itself, and there being a separate council?—Yes.

1901. Mr. *Roebuck*.] Do you know a person of the name of R. Lane?—Yes; he was a clerk in the Company's service a good many years ago.

1902. Where was he a clerk?—He was at Red River.

1903. Do you know his writing; will you look at that (*handing the Letter to the Witness*)?—I think it is very likely that this may be his writing; I cannot prove his writing.

1904. Did you know a person of the name of Andrew McDermot?—Yes.

1905. So that there was a person of that name?—There is a person of that name now in the settlement.

1906. The letter there is written by a clerk of the Hudson's Bay Company to a person whom you know to have resided in that part of the world?—Yes.

1907. And that letter speaks of a set of new regulations, of which you know nothing?—Of which I am not aware unless my memory be refreshed upon the subject.

1908. The letter speaks of new regulations, of which regulations you know nothing?—Very likely; I do not know unless my memory be refreshed upon the subject; I was very likely not in the settlement at the time.

1909. That is not an answer. I ask you, do you know anything of those regulations?—No, I do not; at least I cannot call them to mind.

1910. Mr. *Gladstone*.] This letter, purporting to be written by a person who was a clerk of the Company, and resident in the country, and written to another person, with whose name you are also acquainted as being that of a resident in the country, do you think it is likely that there were such regulations as are alluded to in the letter?—I think it is very likely that there were such regulations, but they were not continued for any time; they were, very likely, disallowed.

1911. Apart from this letter, did you ever hear in the course of your experience of any regulation in force within the Hudson Bay Company's territories under which it was required, or under which the Company had the power to read the private letters of individuals?—Never. I never knew an instance.

1912. Supposing there was such a regulation as is here mentioned by Mr. Lane, by whom would that regulation be made?—Very likely by the Council or the Company's principal representative for the time being at Red River, but it would be disallowed forthwith.

1913. Could such a regulation, that is to say, a regulation to the effect that the letters of residents must be perused by the authorities of the Company, be made by any local officer of the Company upon his own responsibility?—I think not.

1914. Then are you at a loss to conceive how such a regulation as this could have been made at all?—I am quite at a loss; I am not aware of the regulation.

1915. Could such a regulation be made by the Governor and Council?—Of Assiniboia it might; but it is not likely to have been continued; it would not have been continued.

1916. Would the Governor and Council of the colony have been competent to make such a regulation?—Yes; but I think it would have been disallowed by the Company forthwith.

1917. Mr. *Roebuck*.] Disallowed where?—At home.

1918. How long would it take to send from there home?—A very few months.

1919. Then

1919. Then that is different from your answer to me, that it would take three years?—No; I never made such an answer.

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1920. Mr. Gladstone.] Do you consider that the Governor and Council of Red River would have been legally competent to make such a regulation if they had thought fit?—I think not.

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1921. Mr. Grogan.] I think you told us, that a letter which should find its way to the frontier, to Pembina, could be despatched thence through the United States?—Yes.

1922. At the expense and cost of the United States Government?—Yes.

1923. Is there any provision made by the Governor and Council of Assiniboia for the transmission of a letter from Assiniboia itself to the frontier?—I think not.

1924. The distance, you said, was about 60 miles?—About 50 miles.

1925. Is it once a week, or once a month, or once in a season; or how often is it that the mail in the United States part of the territory is dispatched?—Once a fortnight.

1926. And yet there is no provision by the Governor and Council of Assiniboia for transmitting a letter regularly to the frontier at all?—No; at least I am not aware that there is.

1927. I asked you a general question, whether there was any post or dispatch by which letters could be sent through the Hudson's Bay territory, maintained by the Government, and you said that there were canoes and boats occasionally?—Yes.

1928. Do those expresses, or canoes, start periodically?—They do.

1929. When?—Two or three times in the course of the season of open water, and I think once a month (at least it was so when the troops were there) during the winter; not so frequently now.

1930. What do you call the period of open water?—From the month of May until the month of October.

1931. That is four months?—Five months.

1932. Then there are opportunities of sending letters two or three times during the fine season?—Yes.

1933. And once a month during the bad season?—I am not sure that the mail is continued so frequently as once a month during the winter.

1934. Do you know how often it is sent, my object is to ascertain the exact information as to what means of communication, sending letters for instance, exist in the Hudson's Bay territory?—Through the United States regularly.

1935. I do not ask as to the United States?—The time occupied from Red River to the Sault St. Mary, where there is the first regular communication, is so long, that parties will not be disposed to send their letters in that way; for instance, they would send them by the United States.

1936. Would that arise from the uncertainty in the means of sending them? The uncertainty and the length of time occupied in conveying the letters.

1937. I see in your evidence you state that you have travelled from Fort William, at the head of Lake Superior to Assiniboia, about 40 times?—Yes, I think so.

1938. Of course you know that road remarkably well?—Yes, pretty well.

1939. Are there steamboats which now navigate to Fort William, on the head of the lake, from Canada?—No; there is no regular steamboat communication. Steamboats have passed round on pleasure excursions.

1940. Do they go periodically?—No.

1941. If it were stated that they went once a week regularly, would it be correct?—It is not the case.

1942. Are there steamboats of any nation that traverse the lake periodically?—On the south-west side of the lake, the American side of the lake, there are steamboats which pass, I think, once or twice a week; on the north-east side of the lake there is no traffic; there is no communication.

1943. With those boats passing once or twice a week, as you describe it, where is the uttermost limit of their journey on the lake?—I cannot exactly tell you the port on the west side of the lake.

1944. Do they go up to Fort William?—Certainly not.

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1945. Mr. Charles Fitzwilliam.] Do they go beyond Fort William?—No, they do not go near Fort William.

1946. You mean that they keep to the west of Fort William?—Yes.

1947. Mr. Bell.] Do they go to the River St. Louis?—I am not aware that they do; I think not.

1948. Mr. Grogan.] Have you ever read a work called "Minnesota," by Mr. Oliphant?—No.

1949. I think it was published in 1845. If he stated that he went in a steamboat which traversed that distance in the territory up to the River St. Louis, you do not know whether that would be correct or incorrect?—That would be out of our reach; it is perfectly possible. If he says so I should suppose it to be correct.

1950. What is the distance from Fond du Lac, at the River St. Louis, to the Kamenistiquoia, where Fort William is?—One hundred or one hundred and twenty miles.

1951. You have no reason to doubt that steamboats travel two or three times a week up to that district?—I think it very likely.

1952. And yet there is no facility made or contemplated for the transmission of letters through the Hudson's Bay territory, by the Hudson's Bay Company, for the settlers from that place, to meet those boats?—None; not through the United States; availing ourselves of the United States communication. You are talking of the west side of the lake; I am talking of the east side of the lake; we keep on the east side of the lake; we have no steam communication on the lake.

1953. Mr. Edward Ellice.] Would not the shortest route for a letter be by Pembina and St. Paul's to this country?—Decidedly.

1954. Mr. Grogan.] In the Parliamentary Papers, under the date of the 23d of April 1849, at page 58, there is the following passage: "Mr. Dunn's book was written with the same view as his letters to the 'Times' newspaper, namely, to draw the attention of this country to the value of Oregon, and the encroachments which the Americans made. Neither his disposition nor his temperament admitted of his telling the whole truth. Had he written his book himself, and had he not been compelled, according to his own statement, to burn his journal at Fort Vancouver by a regulation of the Company prohibiting their servants from retaining any record of what passes in the country, his History of Oregon would be far more valuable than it is." What regulation of the Company is it which prohibits their servants from keeping any journal or record of what passes in the country?—There never was any such regulation in my time. It is the first time I ever heard of it.

1955. I presume you have seen these papers?—I have not seen them.

1956. Are there any limitations, whatsoever imposed by the Company, on their servants of any class, with regard to keeping a journal?—None; I never heard of any restriction in any shape, directly or indirectly; they write what they please, and send it as they please.

1957. Mr. Adderley.] Did you ever hear of Mr. Dunn's journal being burnt?—I never did.

1958. Or destroyed?—I never heard of it.

1959. Mr. Gordon.] I wish to ask you a few questions in continuation of those which I put to you on Thursday with respect to the Red River Settlement. I think you said that one of the causes which rendered the Red River unsuitable, in your opinion, for settlement, was the prevalence of great floods there?—Yes; the prevalence of floods and of droughts.

1960. What is the length of country into which the Red River Settlement extends along the river?—About 80 miles; perhaps not quite so much as 80 miles.

1961. Mr. Edward Ellice.] I think you said 50 the other day?—Yes.

1962. Mr. Gordon.] Is the whole of that length of the river equally subject to floods?—The whole of that country has been overflowed in my recollection.

1963. Am I to understand you to say that the whole of that 50 miles is equally subject to be devastated by extensive floods?—Not equally so; because the lower grounds are more subject to flood than the higher grounds.

1964. Is

1964. Is not the lower part of the river, near Fort Garry, more elevated than the upper part, and therefore less subject to floods?—The lower part is more elevated than the upper part. Sir G. Simpson.

1965. And therefore less subject to floods?—Yes.

1966. Is there a marked difference between the two in that respect?—Not a marked difference; perhaps, eight or ten feet.

1967. Has the district of the Grand Rapids ever been covered by floods?—No.

1968. That is free from floods?—Yes; that is at a great distance from Red River.

1969. Mr. *Edward Ellice*.] How far is it?—I should think from 200 to 300 miles; it is the Grand Rapid of Lake Winnipeg; it is the outlet of the Saskatchewan River.

1970. Mr. *Gordon*.] Is there not a place upon the Red River termed the Grand Rapid?—There is a place upon the Red River termed the Rapids of the Red River; but there is a place known in the country as the Grand Rapid, which is the Grand Rapid of Lake Winnipeg; the outlet of the Saskatchewan River.

1971. I meant upon the Red River; is that subject to floods?—The bank at the Rapid is a few feet higher, perhaps 10 or 15 feet higher, than in many other parts of the stream.

1972. Does not that objection apply chiefly, if not only, to the upper part of the river, and not to the lower part of the river?—The bank at the Rapids is higher and thence down towards the lower establishment.

1973. Is that equally liable to be overflowed with the upper part?—No; the ground is rather higher.

1974. Then I suppose that is more favourable for cultivation and settlement?—One part of the population prefer the upper district of country; for instance, the Canadians prefer the upper part above the junction of the Assiniboine River.

1975. Notwithstanding the floods?—Notwithstanding the floods. The Orkney half-breed population prefer the lower end of the stream.

1976. The chief part of the settlement is in a district of about 20 miles long, is it not?—About 50 miles in length.

1977. Has it ever been wholly covered by floods?—Yes, I think so, excepting the higher spots, which form islands in seasons of flood.

1978. Has any attempt ever been made to improve the banks of the river to prevent those floods?—Never.

1979. Why not?—Because the means of the country could not by possibility admit of it.

1980. The banks are not susceptible of improvement?—Not at all.

1981. The settlement is on both sides of the river, is it not?—It is.

1982. Has any attempt ever been made to establish a communication between them by means of a bridge or otherwise?—No; there is a ferry in use.

1983. What is the average width of the Red River?—The average width below the forks is about one sixth of a mile perhaps.

1984. What is the width of the Mississippi at St. Paul's?—Not quite so wide I think, or about the same width.

1985. You are aware, I suppose, that at St. Paul's there is a large suspension bridge?—I am not aware that there is; there was none when I passed there.

1986. St. Paul's is a settlement of much more recent date than the Red River?—Yes.

1987. And they have now a large bridge?—There was no bridge when I was at St. Paul's.

1988. Why has no attempt ever been made in the nature of a communication by bridge at the Red River?—The cost would be too large; there is no traffic and no population to justify such an outlay.

1989. Have any of the smaller streams been bridged over by the Company?—Yes, many of the smaller streams, especially in the settlement; they have been bridged out of the funds of the settlement.

1990. Have the Company done anything to make roads in the settlement?—They have contributed their share of the duties of four per cent. upon all imports.

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1991. And with that have they made roads themselves?—With that the settlers have made roads.

1992. About what number of miles of roads, should you say, have been made under the authority of the Company?—The Company make no roads.

1993. Mr. *Edward Ellice*.] They pay for their being made?—They contribute their share of the tax.

1994. Mr. *Gordon*.] You mentioned in your evidence on Thursday, "The Company allow the interest of the day, I think it is four per cent., to any parties who may choose to leave their money in their hands, or they will pay their balances as they accrue, from year to year, as they may desire." Does that apply only to the servants of the Company, or does it extend to any of the settlers in the Red River?—The servants of the Company.

1995. Is there anything in the nature of a bank established for the settlers?—There is no bank.

1996. Then what do the settlers do with their money?—The settlers have their own agents in England whom they employ; a few of them, I think, leave their money in the hands of the Company; they are retired servants.

1997. Mr. *Kinnaird*.] In question 1009, put by the Chairman, you were asked, "Do you ever encourage the Indians to resort to agriculture, under any circumstances?" and your answer was, "Always; we have encouraged them by every means in our power." Will you kindly state to the Committee some of the means which have been used?—By giving them agricultural implements, free of charge, and seed of various kinds; seed wheat, seed potatoes.

1998. Without charge for the land?—Without charge for the land.

1999. That has been done in the different Indian settlements?—Yes; in several parts of the country.

2000. There is every facility given?—Every facility.

2001. With reference to question 1002, with regard to the education and christian instruction of the Indians, are we to understand that the Company have adopted no means for the education of the 55,578 Indians from whom they receive their furs, and whose land they claim; I do not refer to the half-caste, but to the positively Indian population?—Over 25,000 of that Indian population we have no control; namely, the Plain tribes. They wander from the Missouri to the banks of the Saskatchewan; they are a bold, warlike people, over whom we have no control.

2002. That is a part of them; with respect to those who hunt for you, you use no means for their instruction?—There are religious missions in various parts of the country.

2003. You contribute a very small sum, but that is for them to minister to your own stations and factories, not as missionaries?—Yes.

2004. You give no specific help for the Indians?—The country is so poor that they cannot form settlements; the missions must be immediately in the neighbourhood of the establishments.

2005. Are we to understand that the Company give no aid specifically for the instruction of the Indian children to the missionary societies who have voluntarily undertaken it?—We are very anxious to give the Indian children instruction; but the Indians will not give up their children.

2006. Then you would give assistance to schools and missionaries for that purpose, although you have not done it at present?—Yes.

2007. Have you taken any means of getting books of education, either in the Roman or syllabic character, for the population?—The missionary societies have sent out books from time to time.

2008. At their own expense?—At their own expense.

2009. With no assistance from yourselves for that purpose?—I am not aware that there has been any.

2010. Can you tell me of any case where you have contributed for school-rooms for the benefit of the Indians?—We are quite ready to receive Indian children at our own establishments when they can be obtained.

2011. I do not see any record of any contributions out of the funds of the Company for the erection of these schools?—There is no immediate outlay connected with the erection of schools at any of our establishments. We have a regular establishment of people who do all the work about the establishment; they build houses and erect schools, and whatever else may be necessary.

2012. At York, have you an evening school, conducted by one of the Company's

pany's servants during the winter, for the benefit of the Indians and others resident at the fort?—Yes.

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2013. Was that formed under the direction of the Company?—Yes.

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2014. Is that carried out at any other station?—I think at Norway House, and at all the establishments where there are missions.

2015. Do you assert that there are evening schools conducted at the expense of the Company?—There is no expense connected with it. At the different establishments where there are missionaries we promote education by every means in our power.

2016. It would be very easy to enforce this at all the stations; would it not?—Not to enforce it, but to encourage it.

2017. And you would do so?—Yes, we would do so.

2018. Mr. Roebuck.] Is there a licence to freight goods granted by the Company? Supposing that I being a settler at the Red River Settlement wanted to freight goods to London, is there not a licence granted by the Hudson's Bay Company to enable me to do so?—No, I am not aware that there is. We freight all goods that come to us if there is room in our shipping.

2019. I will read you a copy of a licence to freight goods. It is signed by a Company's officer; it is signed "Alexander Christie, chief factor of the Honourable Hudson's Bay Company." "I hereby license \_\_\_\_\_, of Red River Settlement to carry on the business of a freighter between Red River Settlement aforesaid and York Factory. Provided, however, that this licence shall be null and void for every legal purpose from this date if he traffic in anything whatever beyond the limits of the said settlement, excepting in so far as he may do so under any municipal regulation, or if he traffic in furs within Rupert's Land or without, or if he usurp any privilege whatever of the Hudson's Bay Company, or if he become, or continue to be the employer, or the agent, or the partner of any person who may traffic or usurp, or may have trafficked or usurped as aforesaid, or of any such person's debtor. Given at Fort Garry this 29th day of July 1845, Alexander Christie, Chief Factor of the Honourable Hudson's Bay Company." Are you aware of any such documents as this (*the same being shown to the Witness*)?—I am not aware of them. I do not think this is Mr. Christie's writing, and I never heard of the regulation.

2020. I think you are or have been governor of Rupert's Land. In 1845, were you at the Red River settlement?—It is very likely I was there in 1845; I do not exactly recollect.

2021. You had a council there, I suppose?—Yes, in all probability.

2022. That council was held on the 10th of June?—Very likely.

2023. I see that you passed certain resolutions at that time; have those resolutions been allowed or disallowed?—If you will allow me to see the resolutions I may have some recollection of them. I cannot exactly call them to mind. We pass resolutions for our own operations.

2024. You do not bear in mind whether any of those resolutions were disallowed or not?—I think the Company did disallow some of our resolutions, but I forget exactly what they were.

2025. Will you be kind enough to inform us why, amongst your resolutions, you resolved this, "That all other imports from the United Kingdom for the aforesaid settlement shall, before delivery, pay at York Factory a duty of 20 per cent. on their prime cost, provided, however, that the governor of the settlement be hereby authorised to exempt from the same all such importers, or any of them, from year to year, as can be reasonably believed by him to have neither trafficked in furs themselves since the 8th day of December 1844, nor enabled others to do so by illegally or improperly supplying them with trading articles of any description." Do you recollect passing any such resolution as that?—I do not recollect such a resolution; it may have been so.

2026. In your present view of the matter, do you think that that would conduce to the settlement of the country?—I think it would not.

2027. Therefore, if passed at that time, it would have opposed the settlement of the country?—No; I do not think it would have materially affected the settlement of the country.

2028. Not prohibiting the importation of goods, except upon a duty of 20 per cent., and that from the United Kingdom?—I do not recollect that it was ever enforced.



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2029. Laws are made to be enforced?—But I do not think that was.

2030. Mr. *Edward Ellice*.] Is it so now?—Certainly not.

2031. Has it ever been so in your recollection?—Not in my recollection. I never recollect to have heard it.

2032. If such a rule had existed, would it not have been solely for the protection of the fur trade?—Decidedly.

2033. Mr. *Gladstone*.] How can you be very certain that that regulation is not in force now; if it appears to have been in force at one time without your knowledge, how do you know that it may not be in force without your knowledge still?—I do not think it ever was in force.

2034. Mr. *Roebuck*.] You do not deny that it has been in force?—I do not deny it. I have no recollection of it. It was disallowed if so.

2035. Mr. *Edward Ellice*.] But you say that if passed, it has not been enforced as against the importers?—No.

2036. Lord *Stanley*.] You would have known if any action had been taken upon it?—I should have known as a matter of course.

2037. Mr. *Gladstone*.] On the subject of the import duty which is paid by the Company, I think you stated that it was paid to the Treasury of the Red River?—Yes.

2038. Is it expended under the direction of the Governor, or of the Governor and Council?—The Governor and Council.

2039. To whom do they render an account of the expenditure?—There is an officer called the Head of the Board of Works; he takes the entire management of the fund, and an account is submitted to the Council at the close of each season.

2040. Who appoints the officer of the Board of Works?—The Council do.

2041. Is the money paid to the Council and by them handed to this officer, or what is the course through which it goes?—The officer draws upon the establishment; we are the bankers; the funds are usually left in the Company's hands; the proper officer draws upon the Company from time to time for such funds as may be required.

2042. Is the import duty paid to the Company or some officer of the Company for account of the Governor and Council of Red River?—For safe keeping; it is paid into the Company's hands.

2043. It is paid into the Company's hands, but merely by way of deposit?—Merely by way of deposit.

2044. Then if I understand rightly, the Company hold it, subject to be drawn upon by the officer of the Governor and Council of Red River?—Yes.

2045. Does that officer, by authority of the Governor and Council, draw the money?—Yes, at pleasure.

2046. And he renders an account of the money and expenditure to the Governor and Council?—Yes.

2047. Then the Hudson's Bay Company hear nothing of the money, and know nothing of the mode of its expenditure?—Not further than that they have to pay their quota.

2048. But after payment they have no further concern with that money at all?—No.

2049. It is disposed of by the Governor and Council of the Red River Settlement, or under their authority, just as much as it would be if the colony were a free and open colony?—Decidedly.

2050. Mr. *Roebuck*.] The Governor of the Red River Settlement is appointed by the Hudson's Bay Company, is not he?—Yes.

2051. Mr. *Gladstone*.] I believe the Governor and Council are both appointed by the Hudson's Bay Company, and likewise hold office during pleasure?—Yes.

2052. Mr. *Edward Ellice*.] But the money is actually expended?—The money is expended decidedly.

2053. Lord *Stanley*.] You were asked whether you had done anything for the improvement of the navigation; I will now ask you whether there is any trade with the western country which would justify a large expenditure upon navigation?—None; there is no trade which would justify an outlay.

2054. Is there any trade at the present time which may not be effectually and satisfactorily carried on in canoes?—Between Canada and the interior the trade that is conducted from Canada must be entirely by canoe; but the communication

munication with England is by boat from York Factory and Moose Factory, the two depôts upon the coast.

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2055. I was referring to the Red River, and that part of the country?—With Canada the communication must be by canoe. With England by boat to the coast.

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2056. You have been asked questions with regard to the appliances of education and civilization which you have provided for the Indian tribes. Have you ever considered yourselves as a Company charged with the education or civilization of those tribes?—No, we do not consider ourselves charged as a Company, but we contribute nevertheless.

2057. If I understand your former evidence rightly, you have no control over those tribes, except that of being able to exclude other traders from the country?—None.

2058. Are you well acquainted with the country to the west of the Rocky Mountains?—Yes; I have travelled through that country repeatedly.

2059. Are you able to form any opinion as to how much of it, or whether any of it, is fit for colonization; I speak of the mainland; not of Vancouver's Island?—Very little of it I think is fit for settlement and colonization north of 49°, from the rugged character of the country; it is an exceedingly rugged and mountainous country.

2060. Do you mean by that, that the soil is unfit for culture, or that there are no means of transport to the sea?—There are patches of soil near the rivers in certain localities where agriculture might be carried on upon a small scale; but generally speaking, the country is exceedingly wild and rugged, and mountainous north of 49°.

2061. What are the winters there; are they severe?—The winters are not so severe as east of the Rocky Mountains.

2062. Assuming the soil to be suitable, is it probable that wheat crops would not ripen in that country?—I think they would not; there is too much moisture; it is exceedingly humid.

2063. Have any experiments been made in the neighbourhood of the forts there?—At Fort Langley there have been experiments made, and grain has been raised upon a very small scale; potatoes are very abundant; and likewise further north.

2064. In the event of colonization being attempted there, is it likely that any difficulty would arise as regards the Indians?—The Indians are very warlike and very numerous, and I think they might be troublesome to settlers in the first instance, until they were sufficiently numerous to protect themselves.

2065. The Company has had more trouble with them west of the mountains than in the east?—Much more trouble. They are difficult of management.

2066. I think about two-thirds of the whole Indian population reside west of the mountains?—I think about 80,000; the whole population being about 139,000.

2067. Therefore on account of those tribes, putting other difficulties out of the question, there are only some parts of the country where it would be possible for settlers to establish themselves?—Yes.

2068. They could not do so in small numbers or at outlying posts?—They could not.

2069. In the event of any part of that western territory being constituted a colony apart from the Hudson's Bay Company, would it be easy to mark a boundary, so that the establishment of a colony there should not interfere with the exclusive rights of the Company?—I think there is no room for a colony of any extent north of 49°, upon the west side of the mountains. The character of the country is exceedingly rugged.

2070. In the event of any portion of the territories being set apart for purposes of colonization as a colony independent of the Company to the west of the Rocky Mountains, would there be any difficulty in so defining the boundary of such a colony as to prevent any disputes or difficulties with regard to the point at which the rights of the Company terminated?—You mean the British territory I presume north of 49°.

2071. I mean, of course, the British territory?—I think there is no portion of that country north of 49° adapted for settlement.

2072. Mr. Roebuck.] That is not the question; the question is, whether there are any means of marking out the boundaries of the colony, supposing that a colony should be determined upon; supposing it should be determined to make a colony west of the Rocky Mountains, taking the southern boundary to be

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the boundary between it and the United States and the eastern boundary, the Rocky Mountains, is there any possibility of finding a northern boundary?—  
 I do not know of any other means of finding it than determining it by observation. The country is not so marked in its character as to form any boundary.

2073. There is no river?—There is no river.

2074. With respect to the climate, you say that you have travelled in that country; is not the climate of America, on the west of the Rocky Mountains, similar, in point of fact, to that of Europe, in the same latitude?—I think there is more moisture on the shores of the Pacific than upon the eastern side.

2075. That is not my question; my question is, whether taking latitude for latitude in Europe, and on the west of the Rocky Mountains in America, the climate in the same latitude is not the same?—I have been such a length of time out of England, that I scarcely recollect what the climate is.

2076. I am not talking of England; I am talking of Europe?—I cannot tell.

2077. We will speak of the climate of Vancouver's Island; do you know that?—Not well.

2078. Is not it a fine climate?—It is a very good climate, I believe.

2079. It will grow pretty nearly anything, will not it?—On the southern part of the island.

2080. It will grow wheat?—Yes; on the southern side of the island.

2081. And on the northern too?—The northern is a rugged, mountainous country, where you can grow nothing.

2082. But it would not be prohibited by climate?—There is a great deal of moisture; there are torrents of rain.

2083. So there is in England?—I think there is more on the west side of the mountains than in England.

2084. Lord John Russell.] Is the quantity of moisture such as to prevent the culture of wheat?—It is such as to prevent the ripening of grain, I think.

2085. Mr. Edward Ellice.] But at Fort Vancouver, on the Columbia, in the Oregon, are there very fair crops?—Yes; never productive crops; we used to look upon a return of ten or twelve, as very fair crops for Oregon.

2086. With reference to Fort Langley, which is near the southern boundary of the British Territory and where there is a fort, I think you said the other day, that there were about 100 square miles of level ground there?—Yes, I think so.

2087. Could not a colony be planted there?—It might be.

2088. Is there any thing remarkable in the climate there different from what it is in Vancouver's Island?—I believe there is more moisture.

2089. Nearer the mountains?—Yes.

2090. Mr. Grogan.] You are making a comparison between Fort Langley and Vancouver's Island?—Yes.

2091. You say that there is rather more moisture at Fort Langley?—Yes.

2092. Does the thermometer show any difference in the temperature?—The further north we go, the degree of cold is greater.

2093. I am speaking of those two situations?—Yes; the one is in 50°, and the other is in 46½°. (a)

2094. Practically, is the heat there very great in summer?—In the Columbia it is.

2095.—In the part called Caledonia, there is the Columbia River; that is on the west side of the Rocky Mountains?—Yes.

2096. I am not speaking now of the American territory, but of the British above 49°. Is the heat in that part of the country very great in summer?—Not very great.

2097. I perceive that in the account of your travel, speaking of Fort Colvile, you speak of its being an exceedingly productive, and well circumstanced place?—Yes.

2098. And that what you describe as a fine season is a damp season?—Yes.

2099. That is owing to the great heat which prevails below 49°?—The great drought, the great length of time they are without rains, they are weeks and months together without rains.

2100. Does the same observation apply to the land immediately above 49°?—Upon the coast there is more moisture than inland.

2101. Is the quantity of moisture sufficient to destroy the ripening of the grain?—Yes, I think so; in some seasons I think it is likely.

2102. But

(a) This answer had reference to Fort Vancouver, on the Columbia River.

2102. But as a general rule?—As a general rule I think the great moisture would materially affect the crops. Sir G. Simpson.

2103. What may be the distance of Fort Colville south of the 49th degree of latitude, the boundary?—I think Fort Colville is about 48 or 49 degrees. 2 March 1857.

2104. About one degree southward of the boundary?—Yes.

2105. Do you consider that the difference of one degree would make such a difference in the temperature of the place?—There is more moisture on the coast than inland.

2106. Fort Colville is not on the coast?—No, it is inland.

2107. I want to draw a comparison between Fort Colville and the same land on the British side of the boundary. What circumstances exist to make a difference in the climate and the adaptability for colonization of the two places?—The climate west of the mountains is warmer, I think, than in the same parallel east.

2108. Would not that part of the British dominions north of the 49th degree of latitude, but in the same parallel of longitude with Fort Colville, be equally adapted for colonization as Fort Colville itself?—No; the climate of the west side is warmer, there is much more heat, but very little level land.

2109. Supposing a colony were planted on the 49th degree of latitude, quite close to Fort Colville, on the Columbia River, what circumstances exist which would prevent that colony so planted being equally well favoured and well circumstanced as Fort Colville itself?—I do not see that it would be materially prevented. I am not aware of any circumstances which should cause it.

2110. Then would this description in your judgment apply to it, "Cattle thrive well, while the crops are abundant. The wheat, which weighs from 63 to 65lbs. a bushel, yields 20 or 30 returns. Maize also flourishes, but does not ripen till the month of September. Potatoes, peas, oats, barley, turnips, melons, and cucumbers, are plentiful." That is the description which you give of Fort Colville?—Yes.

2111. And you do not see any circumstances which would prevent a colony on the British territory opposite Fort Colville being so well favoured?—No; the climate is not so warm.

2112. Therefore it would, in your opinion, hold out equal inducements as regards the ripening of grains and fruits as Fort Colville itself?—No. I think the climate of the Pacific is more favourable to cultivation than the same parallel on the east side.

2113. Mr. *Edward Ellice*.] I suppose if a population were found to want a settlement of that kind, and chose to go there, they could raise crops very well for their own support?—On either the one side or the other, I think; on either side of the mountains.

2114. Mr. *Grogan*.] Have any attempts ever been made to establish a colony, or any settlement at all to the eastward of Fort Garry on the Assiniboine, up Lake Winnipeg, Rainy Lake, or in that district?—No attempt has been made to form a settlement at Rainy Lake.

2115. Or to the eastward of it?—To the westward there may have been a few settlers at Manitobah, within 40, 50, or 60 miles of Red River.

2116. In fact, there is not a sufficient population to render those localities, which you have described as so beautiful, an object to settlers?—That is the fact.

2117. But if it should become an open colony, and settlers should go there, there are no physical circumstances in the country in your judgment to prevent their success?—No; I think not. The country is not favourable for settlement, I think, about Red River.

2118. Why?—The crops are very uncertain.

2119. You have nothing to adduce beyond what you have stated already?—No.

2120. In the extent of land between the Rainy Lake and Fort William, on the Kamenistiquioia, at the head of Lake Superior, what may be the height to which the land rises; is it 800, 1,000, or 2,000 feet, or what?—I think about 800 feet above the level of the lake.

2121. Do any serious practical difficulties or impediments exist in making that navigation, which you have traversed with your canoes, a regular course of navigation?—I think there are insuperable difficulties, unless the "Bank of England were expended" upon the improvement of the country. Near the

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height of land there is no water; the rivers are shoal, and the soil is bad. I think the difficulties are very great.

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2122. To how many miles of country, in your judgment, would your present remark apply?—I think about 300 miles.

2123. As much as that?—I think so.

2124. You have given the entire distance from Assiniboia to the head of Lake Superior as about 500 miles?—Yes.

2125. And you think that in 300 of those 500 miles, there would be such difficulties?—Yes.

Mr. William Kernaghan, called in; and Examined.

Mr. W. Kernaghan.

2126. Lord John Russell.] WHERE do you reside?—At Chicago.

2127. What is your business or occupation?—I am a General Merchant there

2128. Have you any statement to make with regard to the Hudson's Bay Company, or their territory, or their trade?—The Chicago people are running steam-boats now towards that part of the country.

2129. Where from, and where to?—From Chicago to Superior City, Ontonagan and Marquette; steamers also ply from Detroit and Collingwood to those cities.

2130. Mr. Edward Ellice.] Are you a native of the States?—I am an Irishman.

2131. Lord John Russell.] Have you any statement to make with regard to that matter?—I should like to see the trade opened up there in the Hudson's Bay country.

2132. That is to say, you would like to see an end put to any exclusive privileges?—Yes, either in land or trade.

2133. Have you found any obstacles practically to exist to the trade which you wish to promote?—There is every opposition thrown by the Company in the way of our traders there.

2134. Of what kind?—Every opposition. They are not allowed to trade there. This last season 500 waggons started from Pembina, or the Red River Settlement, and sold their loads of wheat, tallow, beef, and other produce at either St. Paul or St. Anthony, I do not know which, returning with goods of American and British manufacture and other produce back to the Red River. That is the first direct trade the Red River and the Company's country have had with the United States.

2135. Were not they allowed to dispose of the goods which they had bought in St. Paul's?—A good many of the goods were British manufactures; but they had to pay duties on going into the American territory at very high rates, which would not be the case had they gone through Canada to the Red River Settlement.

2136. How could they have reached the Red River Settlement through Canada?—You can get goods shipped direct from London, Liverpool, Glasgow, or any port in Great Britain, to the extreme end of Lake Superior, at 3*l.* 10*s.* a ton, in one bottom, or with transshipment; they pass through the St. Lawrence, a Canadian river.

2137. Mr. Grogan.] Can you specify any port on Lake Superior?—Any port on the Upper Lakes, either Lake Michigan or Lake Superior, ports in Superior, stated above.

2138. Lord John Russell.] How would you have the goods conveyed from there to the Red River Settlement?—You would have plenty of people to waggon them, or bring them across. I suppose the expense would be about 8*l.* or 10*l.* a ton; it would not be greater than that of waggons from Red River to St. Paul.

2139. Mr. Edward Ellice.] Have you been between Fort William and Red River?—No.

2140. Is not that the route which the goods would take; how do you know that goods could be conveyed between Fort William and Red River for 10*l.* a ton?—The Americans would do it.

2141. What authority have you for saying so?—The statement of people in Chicago connected with steamboats.

2142. Have

2142. Have they ever gone that route?—Their steamboats go to Superior *Mr. W. Kernaghan,*  
city.

2143. *Mr. Grogan.*] Where is the town of Superior?—The town of Superior 2 March 1857.  
is at the very extreme end of Lake Superior.

2144. Is it at Fond du Lac?—Yes. Superior is a new town, commenced last year, and it will this year have a population of 10,000 people.

2145. *Mr. Bell.*] Then you think it would be possible to make a similar settlement on the British shore, if it was not for the monopoly of the Hudson's Bay Company?—Certainly.

2146. *Lord John Russell.*] When you speak of the goods going in waggons, do you mean in the summer season only?—The lakes are only open from about the middle of April, and the lake communication closes at Chicago about the 1st of December. In Lake Superior, I suppose it closes about a month earlier. In winter goods might be carried in sleighs.

2147. In what part of the year do you suppose the goods could go in waggons between Lake Superior and the Red River Settlement?—In summer by waggons, winter by sleighs. I beg to say that the Chicago people, the owners of the steamboats, are beginning to open a line from the extreme end of Lake Superior to the Red River Settlement. I think I had better read an extract from a Chicago paper which I have got to-day. It is headed, "A New Project.—In the Senate of Michigan, on Thursday, General Cass presented the petitions of Jean Lafever, Robert Mallon, and Alexander McLain, asking for a Government exploration and survey of the Pigeon and Arrow Rivers, of Lake Superior, and of the route from the mouth of those streams, or near them, to Rainy Lake, on the United States boundary line, with estimates of the cost of so improving by locks and canals the communication between those waters as to make a practicable navigation from the Lower Red River of the North, via Lake Winnipeg, to Lake Superior. They represent that, at a reasonable cost, the whole valley of the Red, Assiniboine, and Saskatchewan rivers can be connected with the waters of Lake Superior."

2148. *Mr. Edward Ellice.*] Through what territory would that route to which you have referred be made?—Partly British and partly American; the chain of lakes and rivers separate both countries.

2149. You stated that one of the obstacles to trade was the duties put upon goods entering into the States; how would you avoid those duties?—By landing the goods in British territory.

2150. You just now said that the road was to be opened up partly on British territory and partly on American, between Fond du Lac and Red River; if it is to be partly on British territory and partly on American, how do you get rid of the duties?—The goods would go in under bond in that case.

2151. Why could not they go in under a bond by the other route?—They have never tried it yet in that way, but a great business would be done in that country if free trade were allowed there.

2152. *Mr. Blackburn.*] Is there any duty except the American duty at present?—The Canadian duty is very light; the American duty is very great. I am not aware of any duties at Red River.

2153. I thought you spoke of the duties being paid on the goods going into the American territory?—What I mean to say is, that on the goods put at St. Paul into the 500 waggons, the sellers of the goods had paid the American duties.

2154. Then it was the American duties which made it disadvantageous; not anything done by the Hudson's Bay Company?—That business was done against the wishes of the Hudson's Bay Company.

2155. Did they impose the duties on the Americans?—The Americans.

2156. *Mr. Grogan.*] Am I to understand you that this caravan which crossed from Pembina to St. Peter's, or St. Anthony's, purchased goods?—They sold at St. Anthony the productions of their own country, and they bought at St. Anthony their groceries, wines, woollens, linens, &c.

2157. Which had been British imports?—Some had been British imports and some American manufactures.

2158. And on all the British imports the American Government imposed a duty?—Yes.

2159. If they could have gone through the country under bond, the Red River people would have saved that duty?—Yes.

Mr. W. Kernaghan. 2160. Mr. *Edward Ellice*.] Is there an export duty in the States upon goods?  
—I do not know.

2 March 1857. 2161. Then how do you mean that the Red River people would have saved the duty?—Had the goods been in bond. This is the first attempt of the Red River people to open a free trade.

2162. You say that the Red River people are placed at the disadvantage of this duty; but as I understand you the British goods pay going into St. Paul's?—Yes, unless they go there in bond.

2163. They do not pay coming from St. Paul's to Red River?—No; but they had paid at New York, or at Chicago, before they went to St. Paul, the regular American duties.

2164. Lord *John Russell*.] You mean, that if they were landed at Fond du Lac, or at the head of Lake Superior, they would go in bond, and not pay the American duties?—If landed at Superior City, where there is an American custom-house, they would go in bond through our British territory without paying duties.

2165. Mr. *Edward Ellice*.] If there were a road to Red River?—Yes; and that will be done by Chicago and other people this season.

2166. If they could go in bond from Superior, and pass through part of the territory and so escape the duty, why should not they be in bond at New York?—You can pay duty at Chicago, Detroit, New York, or at any place where there is a custom-house of the United States, or you can bond goods at all ports of entry.

2167. You said that goods could be carried to Red River, going through part of the American territory, giving bond?—Yes.

2168. Why could not they go by New York in the same way, giving bond?—They could.

2169. Therefore the Red River settler would not be prejudiced by the duty payable in the American territory?—He would not be if they went in bond.

2170. Mr. *Charles Fitzwilliam*.] With reference to the 500 waggons you have mentioned, you mean that a person bought goods in the American territory because he could get them cheaper there than from the stores of the Hudson's Bay Company at Red River?—Yes; they have undersold.

*Jovis, 5<sup>o</sup> die Martii, 1857.*

MEMBERS PRESENT.

Mr. Adderley.  
Mr. Bell.  
Mr. Blackburn.  
Mr. Edward Ellice.  
Mr. Charles Fitzwilliam.  
Mr. Gordon.  
Mr. Gregson.  
Mr. Grogan.  
Mr. Percy Herbert.

Mr. Kinnaird.  
Mr. Labouchere.  
Mr. Lowe.  
Sir John Pakington.  
Mr. Roebuck.  
Lord John Russell.  
Viscount Sandon.  
Lord Stanley.

THE RIGHT HON. HENRY LABOUCHERE, IN THE CHAIR.

Mr. William Kernaghan, called in; and further Examined.

Mr. W. Kernaghan. 2171. Mr. *Grogan*.] YOU have been for some time settled at Chicago, have you not?—Yes.

5 March 1857. 2172. Are you connected with mercantile pursuits there?—Yes.

2173. Individually, or as a partner in associated companies?—Individually.

2174. Has the course of your commercial business made you acquainted with Lake Superior, and its capabilities for transit and commerce?—Yes; friends of mine there have a line of steamers that run from Chicago to three ports on Lake Superior.

2175. What is the most northern port, on Lake Superior, that they go to?—They go to Ontoganan and Marquette; Ontagon is the copper, Marquette, the iron district; and Superior City; they go to the west.

2176. Do

2176. Do they go higher up than Lake Superior; do they go to Fort William in the English territory?—No. Mr. W. Kernaghan.

2177. They do not extend their course then beyond the American boundary?—No; there are no settlements on the other side. 5 March 1857.

2178. Do you know whether there are English steamers which traverse the lakes to Fort William?—I do not think any regular line runs; a line in conjunction with the Toronto and Collingwood railroad runs to Lake Superior, but the steamers belong to an American company.

2179. Do they go to Fort William, the English settlement?—I do not think they do; they go to the American towns only.

2180. Can you state what is the population of the town of Superior?—Superior City was founded a year and a half ago, and the population at the end of this year will exceed 10,000 people.

2181. Are there any projected railways there?—The Fond du Lac railway runs 120 miles from Chicago at present, and it is to go to Superior City; it is finished 120 miles from Chicago. It is to go to Marquette, to Ontonagon, and to Superior City; three branches.

2182. Do you know of any projected connections or communications, between Fond du Lac, and any of the British Settlements across the line; Red River, or the lakes there?—General Cass brought a Bill the other day into the Michigan Legislature to render navigable all the rivers, as far as the American territory went, between Lake Winnipeg and Lake Superior, for steamboats and ships.

2183. Mr. *Edward Ellice*.] Lake Winnipeg is in British territory?—As far as the American territory goes towards Lake Winnipeg.

2184. Mr. *Adderley*.] In the direction of Lake Winnipeg?—Yes.

2185. Mr. *Grogan*.] Do you know what is the length of that projected canal?—I do not know.

2186. Or the expense?—I do not know.

2187. Has there been any action on that petition in the Legislature?—I do not know. I only saw it in the Chicago paper.

2188. Was Chicago your place of residence?—Yes.

2189. What is the age of that city?—It is about 19 or 20 years of age.

2190. What may be the population of it?—In December it was 110,000. I suppose this month it is about 114,000. It increases 1,800 a month.

2191. Was it not from Chicago that the vessel was freighted which came the other day to Liverpool with corn?—Yes. She came direct.

2192. Have you a personal knowledge of the Vancouver country on the west side by the Pacific?—I have never been as far north as Vancouver's Island. I have been trading on the west coast of America for three years. I have been as far north as San Francisco.

2193. Mr. *Edward Ellice*.] What is popularly called California?—Yes.

2194. Mr. *Grogan*.] Have you any knowledge of that district from reports?—I met several gentlemen who went to Vancouver's Island to try to trade there and they could not trade; they were refused.

2195. They went to Vancouver's Island for the purposes of trade?—Yes; they tried to commence trade there, and they could not.

2196. What obstruction was there in their way?—The Company did not like any people to interfere with them there; that was the reply of those gentlemen to me.

2197. Mr. *Edward Ellice*.] Where was that?—At Vancouver's Island.

2198. I thought you said you had only been at San Francisco?—Yes; I only visited San Francisco.

2199. How do you know that fact?—Gentlemen went to trade there from San Francisco. I found them on their return at San Francisco.

2200. But did they go to trade there?—Certainly; they brought up cargoes there.

2201. What sort of cargoes?—I suppose general cargo.

2202. Was it spirits?—I suppose everything.

2203. Who were they?—I do not recollect their names now, but I recollect perfectly the parties.

2204. Mr. *Grogan*.] Have you reason to believe that the obstructions to trade to which these gentlemen referred, arose from their desire to trade in furs?—No.



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2205. Was it general trade that they were anxious to carry on?—They did not want to trade in furs; they wanted general trade.

2206. Did those parties say that they were prohibited, or that such obstructions were thrown in their way by the Government of the island, that they were unable to carry on business?—Yes; they were willing to trade there, but would not go back again.

2207. Mr. *Edward Ellice*.] Was the obstruction by means of underselling them?—I do not know what the obstruction was, but they were willing to trade there, and would not go back again until the Hudson's Bay Company would be done away with.

2208. Mr. *Grogan*.] Did those gentlemen inform you whether their inability to trade arose from any want of the productions of the island, which could be exchanged for their imports?—No. The finest timber in the world grows on that coast and in Vancouver's Island, and the best market for timber is San Francisco. At that time there was a duty of 20 per cent on timber imported into the States, which is now done away with under the Reciprocity Act.

2209. Was there any duty on the export of timber from Vancouver's Island?—No; but there was a duty then on the imports into the United States, which is done away with now.

2210. Mr. *Edward Ellice*.] What description of timber is it?—All kinds of pine; fir. Captain Grant shipped one cargo from Vancouver's Island to a friend of mine before I was in San Francisco.

2211. Mr. *Grogan*.] Did those gentlemen mention to you anything about coal, or the mineral productions of the island?—Those gentlemen did not; but I was on board the United States steam frigate "Massachusetts."

2212. In what year was this?—January and February 1851; she coaled herself at Vancouver's Island with the native coal of the island.

2213. Did the officers give you any account of what it cost them, or the time it took to coal her?—The officers told me that they went very close to where the coal is, on the strand, and that the Indians quarried the coal, and that the men of the ship shipped the coal in boats.

2214. Mr. *Edward Ellice*.] How do you know all this?—The officers of the United States frigate "Massachusetts" told me. I give the time, and the place, and the officer who told me.

2215. Mr. *Grogan*.] Is there any other part of the North American territory or coasts that you are personally acquainted with?—I have been in Labrador.

2216. For what length of time were you in Labrador?—Not very long.

2217. Mr. *Bell*.] Are you acquainted with the mining operations on the south side of Lake Superior?—No. I know some of the companies, but I have no interest in them myself.

2218. Are you acquainted with any facts as to the products?—I know about the quantity of the products.

2219. What quantity of copper is there?—There have been 3,000 tons of copper shipped last year from the mines.

2220. How many mines are there?—Near Ontoganan, I suppose there are about half-a-dozen public companies mining.

2221. How long is it since they commenced operations?—A good many years; but since the ship canal was opened from Lake Superior to the other lakes a great many more companies have started. There are iron companies at Marquette.

2222. I see that Lake Winnipeg is mentioned in the passage which you read the other day from the newspaper?—Yes.

2223. On the map there is a small Lake Winnipeg between the Rainy Lake and the Mississippi River; do you know whether that is meant?—I do not know which.

2224. Mr. *Grogan*.] In that part of Lake Superior, where the mineral district is located, on the American side, are there any limitations imposed by the State of Michigan with regard to emigrants who desire to explore the minerals?—None whatever.

2225. Every facility is given?—A man may squat where he likes.

2226. And with regard to raising the minerals, is he at liberty to do so?—If you buy the land, the minerals are yours afterwards.

2227. Is it within your knowledge whether the same facilities for emigrants exist in the British territories as on the American side?—There are no facilities on

on the British side north of 49 degrees; if there were, the country would be as thickly peopled as it is south. Mr. W. Kernaghan.

2228. Mr. *Edward Ellice*.] How do you know that; what are your means of information?—The talk of the people; there are likely to be disturbances in that country the same as in Kansas if the country is not made free under Kansas. 5 March 1857.

2229. That is also the talk of the people?—Yes.

2230. Mr. *Bell*.] Do you know any individuals who would go into that country to settle if they were not prevented by the exclusive system of the Hudson's Bay Company?—I know a great many people in Chicago who talk of settling at the Red River, provided it was under Canadian rule.

2231. Americans?—Americans.

2232. Mr. *Grogan*.] Have you at Chicago ever had any commercial dealings with, or come across any of the parties who come from the Red River and that district with their goods?—I myself have not had.

2233. But do you, of your own knowledge, know whether any of the settlers of the Red River seek a market for their goods in the American territory?—I know that last season 500 waggons left Pembina with their pork, their beef, their lard, their wheat, and all their agricultural produce, and sold it at St. Paul's or St. Peter's, and brought back the goods which they required.

2234. That is the circumstance which you mentioned to us on the last day?—Yes.

2235. Mr. *Edward Ellice*.] They did so, as far as you know, without any obstruction on the part of the Hudson's Bay Company?—The Hudson's Bay Company were not powerful enough to stop them.

2236. Do you know whether they tried to stop them?—That is the talk of the country.

2237. Mr. *Kinnaird*.] The talk of the country is a very general sort of term; can you give us any fact showing the views of the Company?—No, I can give you no fact, but I think the best proof is that north of 49 degrees there is no settlement; south of 49 degrees, in Minesota, there are now 180,000 settlers. That district had a population four years ago of 6,000 people; it has now 180,000. Red River had as large a population 20 years ago as it has now; I think that is a fact which is proof enough.

2238. Do you say that the land round Red River in that whole district is equally well adapted for settlement as the Minesota district?—So it has been stated to me.

2239. You do not know it?—I do not know it personally.

2240. Mr. *Grogan*.] You have never been there?—Never. The chief settlers in Minesota are Norwegians and Swedes, and those people would as soon be under Canadian rule as under American, and they would cross the border if allowed.

2241. Mr. *Kinnaird*.] They would cross the border if encouragement was given?—Yes.

2242. Mr. *Bell*.] How near to the border have they settled?—Very close up.

2243. St. Paul's is 200 to 250 miles from the border?—Every year they are closing further and further.

2244. Mr. *Adderley*.] Do you know the country of Minesota?—No, I have not been further north than Dubuque, in Iowa.

2245. Mr. *Gordon*.] How do you know that the settlements are closing up to the British boundary?—I know that those people would as soon be under Canadian rule as under American.

2246. That is not my question. You said that you knew that the American settlers were settling up close to the British boundary; how do you know that?—From common report. There was a lecture delivered in Chicago; I will enclose it to the Chairman; it may give some information.

The Honourable *Charles William Wentworth Fitzwilliam*, a Member of the Committee; Examined.

2247. *Chairman*.] I BELIEVE you have recently passed some time in British North America?—It is three years since I came back from America. In the winter of 1852-3 I was in Oregon and Vancouver's Island. Hon. C. W. W. Fitzwilliam, M.P.

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2248. How long did you remain in Vancouver's Island?—I was there two months; the months of March and April.

2249. What opinion did you form of the soil and climate of that island, and of its capabilities for becoming a place of settlement for Europeans?—The climate appeared to me particularly adapted for settlement by Englishmen. It seemed to resemble very much the climate of England, though perhaps in winter not so cold as it is here; and in summer, from a letter which I have just received, it must be considerably hotter. The soil is generally productive, although in places rocky; the country is divided into wood and prairie country; the prairies are parklike; extensive grounds, stretching into the wood.

2250. Did you go much about the island?—I was up as far as Nanimo, where there is a coal mine, about 80 miles to the north of Fort Victoria, on the east side of the island; and I was about ten miles on the coast to the west.

2251. Did you hear much about the coal mines there, so as to form any opinion as to their probable productiveness?—When I was there they were working a six feet seam of coal at a depth of about 40 feet; it was close on the shore; within 20 yards of the shore.

2252. It is on the eastern shore of Vancouver's Island, I believe?—Yes.

2253. Is there not an easy communication by means of a valley that almost cuts the island in two, from the place where the coal mines are to a good harbour on the western side of Vancouver's Island?—I do not believe that that country has ever been explored; but I should imagine there was from Nanimo across to Nittinat Sound.

2254. Sir John Pakington.] Which part did you say had not been explored?—Hardly any of the interior of the island has been explored.

2255. I understood you to speak of the west coast not having been explored?—On the west coast, I believe, it has not been explored;—at least it had not been then.

2256. Chairman.] Was the timber fine in the part of the country that you saw?—The fir timber was magnificent.

2257. The harbours are excellent, are they not?—Yes; the Esquimault harbour is the finest harbour I ever saw.

2258. Mr. Grogan.] Is that on the east side, or the west?—All the country I am now speaking of is within the Straits of Fuco.

2259. Chairman.] What opinion have you of that country with regard to its resources, as to fisheries?—Nobody who has not seen the enormous quantity of fish can possibly credit the value and extent of the fisheries. I do not know the number of barrels, but many thousand barrels of salt salmon are sent annually from Victoria to the Hudson's Bay Company's depôt at the Sandwich Islands.

2260. Do the neighbouring seas abound with other fish, besides salmon?—Herrings are very numerous, indeed. To give some idea of how numerous they are, the method of catching herrings is, that two Indians go in a canoe, one paddling in the stern and the other standing in the bow. The Indian in the bow has a lath of wood about eight or nine feet long, studded with nails. He scoops down into the water and impales the fish on those nails. In two or three hours they get a fair load in the canoe.

2261. In what condition did you find the settlement which is now there, as far as you could judge?—It was in a very primitive state. There were no roads except those made immediately round the fort, and one from the head of Esquimault harbour to Captain Langford's house. Captain Langford is the bailiff, I believe, for the Puget Sound Farming Company.

2262. Did much advance seem to have taken place in colonising or settling the country?—Comparatively speaking, very little. On the other side of Puget Sound, on the mainland in Oregon, where I believe it had only been settled two or three years before the island was granted to the Company, there were farms of considerable extent.

2263. Are you speaking of the American country?—Yes; from what is now Columbia City, or Fort Vancouver, all the way across to Olympia, at the head of Puget Sound. Of course the farms were not continuous; in a country like that you do not find farms, as we do in England, one touching the other.

2264. Did you travel through that country on the American side from Fort Vancouver

Vancouver to Olympia?—I travelled by canoe from Fort Vancouver to the Cowlets, and then across from there to Olympia and to Nisqually.

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2265. There are a good many Indians, I believe, in Vancouver's Island:—On the coast of the island; there are none in the interior; they inhabit the coast entirely; they are fishing Indians, and live on fish and potatoes.

2266. Do they live in no degree upon hunting?—I believe not; they have very few offensive weapons; no bows or arrows, and I believe, generally speaking, no guns.

2267. They are not a warlike race then at all?—They are, to a certain extent, warlike; they make war in canoes, but I think they generally fight hand to hand, and not with missiles.

2268. Mr. *Edward Ellice*.] Do you know the Cowichan valley?—The Cowichan valley is about 40 miles from Fort Victoria, on the east coast; the Cowichan Bay is a deep bay with, at the extreme end of the bay, low land, and on the north side are high mountains; it must be a very productive valley indeed, from the great quantities of potatoes which I saw traded there by the Company and by other trades when I was there.

2269. You were not in the valley?—No; when I was there it was almost dangerous to land there; it was just after the execution of two Indians for murder.

2270. *Chairman*.] Do you know what was the number of the European community settled in Vancouver's Island when you were there?—I do not know exactly, but I should think that the numbers of Europeans and half-breeds, considering them all as white men, were about 300.

2271. Did you hear any causes assigned for the number of settlers there having increased so little?—I think one principal cause is the distance at which it is from the mother country.

2272. Did you hear the attractions of California, as a gold-producing country, assigned at all as a reason for their not having increased more?—I think all those who got up as far north as Vancouver's Island would not turn south and go to San Francisco, but they would be more likely to go over to the main land, which they could do very easily in canoes, where they would get as much employment as they could want at very remunerative wages.

2273. Would not settlers who are in doubt where to go, who might have been induced to go to Vancouver's Island, have gone to California on account of the gold?—I do not think that a sufficient number crosses the equator in that direction for me to form any opinion upon that subject.

2274. Did you travel about any other part of North America?—I was all through the States on the Missouri river, as far as Port Pierre. I crossed the Rocky Mountains twice, and was in California, and also in New Mexico.

2275. You were not in the territory managed by the Hudson's Bay Company?—No; not north of the Boundary Line.

2276. Mr. *Kinnaird*.] You stated that the interior of Vancouver's Island had never been explored at all; did you ascertain whether there was any systematic attempt to arrive at a knowledge of the nature of the country by the Government there?—I do not think that there was any systematic attempt.

2277. Do you not consider it very desirable that an island of that importance should be, in a certain measure, surveyed?—Certainly I do; for I think it is the most valuable possession in the Pacific. If you take the map of the Pacific you will see that the only safe harbours in the Pacific exist in Vancouver's Island, with perhaps the exception of Acapulco and San Francisco. The entrance to the harbour in the Columbia River is excessively dangerous, and ships are frequently detained there even for weeks in the winter time.

2278. Had Captain Langford never made any attempt to explore the island?—Only immediately round his house.

2279. Did he express a desire that he should have powers given him for that purpose; did he think it necessary himself?—Yes, I think the colonists generally wished that some exploration of the country should be made.

2280. Mr. *Edward Ellice*.] Was not Captain Grant there when you were there?—Not then; he had left a little before.

2281. Do you know that he was appointed by the Colonial Government in concert with the Government here as the surveyor of the island for the purpose of surveying it?—I do not know that he was. I forget the name of the gentleman who was surveyor to the Company then.

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2282. There was a surveyor to the Company then?—Yes.
2283. Mr. Kinnaird.] You stated that there was a considerable difficulty in landing at a certain point, owing to the excitement among the Indians?—That was in Cowichan Bay.
2284. Which is part of Vancouver's Island?—Yes.
2285. What were the circumstances which rendered your landing dangerous?—A short time before I arrived there, a Cowichan and a Nanimo Indian had killed either one or two shepherds.
2286. Europeans?—Yes; I believe they were Europeans. Mr. Douglas, aided by Captain Kuper, of the "Thetis," took these men, and they were tried and hung for the murder; they were hung at Nanimo.
2287. That created great excitement among the other Indians?—Yes.
2288. And it was considered not safe at that time to land?—I certainly did not think it safe myself, because, if I had landed, I should have had to land alone; and as I could not speak Cowichan, and those Indians did not understand signs, I did not wish to risk myself there.
2289. Have any attempts been made, as far as you know, for the civilization or instruction of these natives?—I think none.
2290. Have you heard of any missionary being on the island at all?—Mr. Stains, the chaplain to the Company, was then on the island, and there was a Roman Catholic bishop.
2291. You are not aware that any means were being used, or that any schools were in existence; there was no settlement of Indians there?—The Indians there live in permanent villages; they are not a migratory tribe like those on the main land, but they live in villages on the shore.
2292. You would, therefore, consider that it would be easier to provide for their instruction, than it would be in the case of the wandering Indians?—I think so.
2293. *Chairman.* Are they employed on the coal mines at all?—No.
2294. Mr. *Edmund Ellice.* Vancouver's Island is about as large as England, is it not?—I should think it is as long as England proper, but not so wide.
2295. Sir John Pakington.] Is Victoria the only European settlement there?—Yes, the only town.
2296. Do the 300 English and half-breeds, of whom you spoke, reside at Victoria?—No, not all; some of them reside on farms in the neighbourhood.
2297. Am I right in presuming that those farms are in the neighbourhood of Victoria?—All within 12 miles of it.
2298. Substantially, there is only one English settlement in Vancouver's Island?—Exactly so.
2299. Is that English settlement of Victoria situated upon the very fine harbour of which you have spoken?—No, not exactly on it; it is situated on a small harbour which runs in a little to the east of Esquimaux; going by land it is within a mile and a half of the harbour.
2300. To what extent did you yourself obtain any personal knowledge of Vancouver's Island?—I was at the coal mines at Nanimo.
2301. How far are they from Victoria?—They are about 80 miles, on the east coast.
2302. I apprehend that those coal mines practically constitute a settlement, do they not?—Yes. I forgot the settlement at the coal mines.
2303. What is the number of Europeans who are settled at the coal mines? I do not believe there were more than 10 when I was there.
2304. What was the aggregate population there?—I do not believe there were more than 10 persons all together at the coal mines.
2305. Do you mean that the coal mines are worked by 10 persons?—There were only four men then working in the mine.
2306. Without the assistance of any Indians or half-breed?—Yes, except one or two just to wind up the coal.
2307. How far from the coast is the coal mine at Nanimo?—Twenty yards.
2308. Then the coals are all conveyed by sea, of course?—Yes; a 500 ton ship can come within 10 yards of the shore; within 40 yards of the mouth of the pit.
2309. On which coast is Nanimo?—On the east coast.
2310. Within the straits?—Yes; all the country I am speaking of is within the Straits of Fuco.
2311. Are

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2311. Are those straits throughout easy of navigation; is it a pretty bold, safe coast; say from Victoria to Nanimo, is it a safe navigation?—It is rather an intricate navigation, for it is through a cluster of islands the way I went, by canoe and steam-boat.

2312. You have spoken of a 500 ton ship; is the water deep?—Yes.

2313. Is there any difficulty in navigating a 500 ton ship from Victoria to Nanimo?—Not with propelling power.

2314. Do you know the total number of Indians in Vancouver's Island?—No.

2315. I understood you to state that they were peaceable, and for the most part unarmed?—I should say they are for the most part unarmed. I do not believe in the peaceableness of any Indian.

2316. Will you explain that answer?—I believe that any Indian will take any and every advantage he possibly can.

2317. What I mean rather is, not whether as an uncivilised man he would take advantage, but whether the Indians of Vancouver's Island have evinced any disposition to be aggressive towards the European settlers, or whether they have lived peaceably with the European settlers?—I think, generally speaking, they have lived peaceably with them, as far as I can understand.

2318. They are not what you would comparatively speak of as a savage tribe of Indians?—No; they are not to be compared with the Blackfeet.

2319. Mr. *Bell*.] From what you say the coal mines are not at all in active operation?—No; they were not when I was there.

2320. Mr. *Edward Ellice*.] Of what time do you speak with reference to that coal?—1853.

2321. Are you aware that very shortly after the coal was discovered there was an intention shown to begin to work it?—Yes.

2322. Are you not aware that there are now 60 or 70 miners employed?—I am not sure; but when I was there I know that miners were expected out, in the "Otter," I think.

2323. Mr. *Gordon*.] What class of persons were the settlers of whom you have been talking; were they persons who had come from England, or persons who had settled there from America; had any come from the opposite coast?—I think very few; some Americans had come for job work.

2324. Where had the white population, such as it was, come from?—From England, generally speaking.

2325. What inducements had brought those English settlers out there?—Several had come out as servants of the Puget Sound Farming Company, and were acting as bailiffs and servants on that farm; they had been brought out in the Company's ships.

2326. You do not think, then, that any of the settlers there had come out attracted by the advantages of the island itself; they had come out, as it were, accidentally in some capacity, and then they remained there?—I think only one had come out to settle.

2327. Was any encouragement given to settlers to come; was there any effort made to induce other settlers to come?—I think not.

2328. Mr. *Edward Ellice*.] You do not know that to be the fact?—No.

2329. Mr. *Gordon*.] Do you happen to know at what price land was procured there?—Land was sold at 1 £ an acre, according to the assignment of the island to the Company by the Government. The Company received 10 per cent. of that, and the remaining 90 per cent. was to be expended in the improvement of the island.

2330. Do you know when that coal mine of which you have spoken was first discovered?—At the end of 1852, I think.

2331. Have you often travelled with American fur traders?—Yes.

2332. Have you had any opportunity of observing whether they, in their traffic with the Indians, make great use of spirituous liquors as a means of barter?—I think, generally speaking, they do not use liquors.

2333. Is there any penalty in force if it is proved that they have made use of them?—A very heavy one.

2334. Have you ever seen that heavy penalty practically enforced?—I cannot say that I have seen it; but I have heard that a man whom I wished to employ had been detected trading in liquor, and had been taken down from Fort Laramy on the Plat to the States.

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2335. As a prisoner?—As a prisoner.

2336. Chained?—I believe so.

2337. Then do you believe that that regulation is practically carried out?—I think it is, where they have the power to do so.

2338. Mr. *Percy Herbert*.] You spoke of the anchorage; that ships of 500 tons could lie off the coal mine?—Yes.

2339. Is that a secure and extensive anchorage?—It is not an extensive anchorage exactly opposite the coal mine; it is perfectly secure, and within a quarter of a mile of it there is anchorage for any number of ships that choose to go there.

2340. Is the supply of coal supposed to be very large?—It had not been explored very much when I was there, but they were then working a six-foot seam, which seemed to descend into the ground instead of rising to the surface.

2341. Viscount *Sandon*.] I think there are some islands between Vancouver's Island and the mainland?—Yes.

2342. Have you been on them?—I have camped on some of them.

2343. Are they capable of cultivation?—Yes, I think so.

2344. They are just at the mouth of the harbour, I think, opposite Victoria?—They are not at the mouth of the harbour.

2345. Just opposite?—Not opposite the mouth of the harbour; they are to the back of the harbour.

2346. Mr. *Edward Ellice*.] Are not those the islands now in dispute between the American Government and our own?—Yes.

2347. Mr. *Adderley*.] Can you tell us anything about the administration of the island, the government, or the magistracy?—There was a governor appointed by the home Government, Mr. Douglas, and he had a council of five to aid him in the government of the island.

2348. Is he at all under the control of the Hudson's Bay Company?—He is a chief factor in the Company.

2349. Was he appointed by the Company?—No; not by the Company; but at the suggestion of the Company.

2350. What are the magistracy, or how is the law enforced there?—Mr. Douglas appointed magistrates. I do not know exactly whether they enforced the law as it would be enforced in England, but they made some attempt to do so.

2351. There are tribunals in the island in case of breaches of the law?—The offenders are brought up before the magistrates whenever such a case occurs.

2352. Have the Company done anything by way of settling the land?—I do not think that the Hudson's Bay Company itself actually has, but the Puget Sound Farming Company, which is composed of members of the Hudson's Bay Company, has taken out settlers there, and has cultivated a considerable quantity of land.

2353. Is that Puget Sound Company entirely merged in the Hudson's Bay Company, or is it a separate Company?—It is a separate Company, I believe, composed altogether of members of the Hudson's Bay Company; that is how it was explained to me.

2354. So that the whole of the Puget Sound Company is merged in the Hudson's Bay Company?—Yes; all the members of it are officers of the Hudson's Bay Company.

2355. Mr. *Edward Ellice*.] You do not state that as a fact, do you?—I was informed so.

2356. Mr. *Adderley*.] Do the Company occupy lands as belonging to themselves besides the land which they have sold?—I think they had a few fields in cultivation close to the fort for their own supplies.

2357. Are the public buildings at the harbours, and the wharfs, and so on, retained by the Company as their own property?—There are no public buildings, and no wharfs, but those which belong to the Company.

2358. Do the Company claim a royalty upon the mines?—Yes. I am speaking of 1853.

2359. Do you know whether they are taking any steps whatever to advertise immigrants?—I have never seen any advertisement of the sort.

2360. You talked of a surveyor being appointed: how did it come to pass that

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that that surveyor was appointed, and yet that no survey took place:—He seemed to me to be mostly engaged in determining the latitude and longitude at different points of the island, which was most useless for the benefit of the colonists.

2361. Was he paid by the Company?—Yes.

2362. From what quarter do you think that the settlement of that country will naturally come: from the sea side or from the land side? Supposing it was perfectly free for colonisation, and that there were no rights of the Hudson's Bay Company acting as any obstacle to emigration from any portion of the world; do you think it likely that it would be settled gradually from the sea, or that a population would grow up from the United States to it?—I think that in all probability it would be settled from the sea; that emigrants would sail from here.

2363. Do you know that portion of the United States called Columbia?—I have been through the Washington and Oregon territories; there are very few roads there, and most of the communication is by water.

2364. Does the population at all increase in that direction?—Vastly.

2365. Towards the borders?—Yes, up along the shores of Puget Sound, by Nisqually.

2366. Is there any speculation in those fisheries of which you spoke, further than the mere fishing in canoes; is there any appearance of companies being formed, for the purpose of speculating in those fisheries?—None whatever. The Hudson's Bay Company traded the fish from the Indians, and annually sent down a great deal of salt fish to their depôt at the Sandwich Islands.

2367. Do the Company claim a monopoly of that fishery; do they claim the exclusive right of fishery upon the coasts of Vancouver's Island?—They do not fish themselves; the Indians are the fishermen, and they trade their fish to the Company.

2368. Have the Company a monopoly in that trade?—No, I should not say that they have a monopoly there, for when I was at Cowichan there was an opposition going on at the time.

2369. From what quarter was it?—A settler on the Island, a Mr. Cooper, was trading then. I think he had got some goods up from San Francisco, and he was trading to San Francisco at the time.

2370. Mr. Grogan.] In fish?—Mostly in lumber to San Francisco.

2371. Mr. Adderley.] Was Mr. Cooper a man who had purchased land from the Company?—Yes, he had a farm there; he had about 15 acres in cultivation then, and would, I dare say, before the year was out, double that.

2372. Do you know Nootka Sound?—No.

2373. I suppose, that is a notoriously fine harbour?—I believe so.

2374. Can you state what is the nature of the coal which you have seen; is it a good coal?—It is an excellent coal, very like the West Riding of Yorkshire coal.

2375. And that is a vein very near the surface?—Yes.

2376. Mr. Grogan.] What did you say were the productions that the settlers were raising when you were there; you spoke of the Indians raising a great quantity of potatoes; was corn reared?—Wheat was raised.

2377. Was it a safe crop?—Yes, I believe so.

2378. Were there any other cereal crops besides wheat?—Oats and barley.

2379. Have you any doubt whatever that they would grow there just as well as they do in these climates?—None whatever.

2380. Chairman.] In short, it is a very fine soil and climate, is it not?—Yes.

2381. Sir John Pakington.] At what time of the year were you there?—In March and April.

2382. Mr. Grogan.] Were there any number of settlers who had purchased land from the Company, or was Mr. Cooper an isolated case?—I think Mr. Cooper was an isolated case; he was in partnership with a farmer, Mr. Blenkhorn, who was by far the most energetic settler on the island; he was a man who had been in Australia for several years, and afterwards came back to England, and then went out with Mr. Cooper to the island.

2383. In fact there are no number of settlers going there, or in the island at present?—No, except those who are brought out by the Puget Sound Company.



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2384. The settlers whom you have described to us, and those in and about Fort Victoria, were all the servants or attachés of the Puget Sound Company, were not they?—Do you mean immediately about the fort, because the settlement is very small?

2385. You describe, that besides the fort, taking a radius of 10 or 12 miles round the fort, there were a good number of settlements where cultivation was going on?—Yes.

2386. I call that the settlement generally; were they principally the servants of the Puget Sound Company, or was there any body of independent settlers?—Mr. Cooper was the only free settler, as they term it there, on the island.

2387. The only independent settler?—The only independent settler; all the others were connected either with the Hudson's Bay Company or with the Puget Sound Company; many of the officers of the Company had bought farms, and were cultivating them.

2388. Mr. Adderley.] Had they paid the Company?—I do not know whether money had passed or not.

2389. Do you know whether there were cases of the Company allotting land free of price to their officers?—I cannot answer that question.

2390. Chairman.] Is there anything which you wish to add to the evidence you have given?—I wish to hand in the following letter which I received from Mr. Cooper.

[The same was delivered in, and is as follows:]

Sir,  
I BEG to hand you a copy of my letter to Captain Kuper, C. B. (Her Majesty's ship "Thetis"). Also accompanying it, is the document alluded to.

Honourable C. W. Wentworth Fitzwilliam.

I have, &c.  
(signed) James Cooper.

Sir,  
ENCLOSED is a document I beg leave to forward for your inspection, and as one of the many instances of injustice that we are compelled to submit to.  
The two men whose signatures appear in the document were under contract to cut and square wood, to complete the cargo of the vessel lying in this port countersigned to me. The governor compelling them to join in the expedition now absent (though perfectly cognizant of their engagement), leaving me with an impossibility of replacing them, consequently the vessel is detained here much longer than she otherwise would be, under almost ruinous circumstances.

It is not necessary for me to make any comment upon the above further than this: that it possibly may be legal, but it is not either just or generous.

Captain A. L. Kuper, C. B.,  
H. M. S. "Thetis."

I have, &c.  
(signed) James Cooper.

Victoria, December 1852.  
I HEREBY solemnly swear that Mr. Douglas compelled me to join in the expedition now about to take place on the coast of this island, under penalty of being banished from the colony. The threats held out were in these words: "If any man is afraid to go, he may stop, but must leave the island."

Witness, James Cooper.  
,, Thomas Cooper.

his  
Basil x Batimean.  
mark.  
his  
Charbono x  
mark.

Mr. Alexander Isbister, called in; and Examined.

Mr. A. Isbister.]

2391. Chairman.] I BELIEVE you have directed your attention for some time past very much to the affairs of the Hudson's Bay Company?—I have.

2392. What is your personal connexion with that country?—I am a native of that country, and passed the greater portion of the first 20 years of my life in that territory.

2393. Were

2393. Were you ever in the service of the Hudson's Bay Company?—For about three years.

2394. Where were you when you were engaged in the service of the Hudson's Bay Company?—In the district called the Mackenzie's River district; the most northerly district.

2395. In what capacity?—I was a clerk, or a postmaster, a junior officer in the Hudson's Bay Company's service.

2396. In what year was that?—In the years 1838, 1839, and 1840, I think; I am not quite sure of the date; but it was about that time.

2397. What induced you to leave the service of the Hudson's Bay Company?—I wished to come to England to complete my education; I was desirous of obtaining a University education, and of qualifying myself for a profession.

2398. You did not leave the service of the Company in consequence of any dispute?—Not by any means; I had no dispute at all with the Hudson's Bay Company, and have no personal complaint whatever against them.

2399. When did you return to that country?—I have not been back since.

2400. You were born there, and as a child you lived there?—Yes.

2401. What was your age when you left?—I was very young; under 20.

2402. In what year did you leave?—To the best of my recollection about 1841, I think; I am not quite sure; or 1842; it is many years since I left the territory.

2403. During the whole of those three years for which you were in the service of the Company, you were at the Mackenzie River, were you not?—During the three years that I was in the Company's service. I had travelled through portions of the territory before that; but I was very young at the time.

2404. Have you any knowledge of the Red River Settlement, for instance?—Yes; I was at school there as a boy, and I have a little property there, formerly belonging to my father, which came to me; I was also there one year after I left the Company's service.

2405. You have since that time, I believe, devoted a great deal of attention to the affairs of this Company?—Very great.

2406. What opinion have you been led to form with regard to the general character of the management of the Hudson's Bay Company of these territories?—Upon the whole, I think it is unfavourable to the development of the resources of the country, and also to the enlightenment and progress in civilisation of the inhabitants.

2407. To begin with the first point, namely, the development of the resources of the country, will you have the goodness to state in what way you think the system pursued by the Hudson's Bay Company operates in that respect?—It is an obstruction to the colonising spirit of those settlers who are in the territory; the Company have not made any efforts, at least such efforts as I think they might have made, to provide a market for the settlers that are in it; and they have thrown obstacles, according to the statement of the settlers at least, which is confirmed by official documents in my possession here, in the way of an export trade in tallow and hides from the wild animals in the prairies; they have also interfered in many ways with the efforts of the settlers to get up an export trade with the United States, the only outlet which is open to the Red River Settlement.

2408. Do you believe that there is any considerable portion of the territory, now administered by the Hudson's Bay Company, which would be colonised and settled within any moderate period of time, say 20 years for instance, if those obstructions were removed?—As far as we can judge, from the Canadian newspapers, there is an evident intention, on the part of the Canadians, to go up into that territory through the line of lakes and rivers which connect Lake Superior with Lake Winnipeg. There appears to be, fortunately, a chain of rivers which are well adapted for settlement, between Lake Superior and Lake Winnipeg.

2409. Then you believe that that district of country would, if these obstructions of which you have spoken were removed, be more or less settled in the course of a certain number of years?—I believe so; more especially, if the Canadians were allowed to participate in the fur trade, which I believe it is their desire to do.

2410. You say "to participate in the fur trade;" what would, in your opinion, be the effect of throwing open the fur trade indiscriminately to any

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one who chose to enter into it?—I have thought over that question a great deal, especially in reference to the Indians. I may at once state that my chief object, in connecting myself with this movement at all, was to improve the condition of the native and half-caste Indians in the Red River Settlement. I believe, upon the whole, that if a monopoly of the fur trade could be established, and could be possibly made to consist with the enlightenment and progress of the Indians, a monopoly would be best; but I am afraid that under the present circumstances a monopoly is impossible. I do not think that the Canadians would allow a monopoly to be established in that territory. You are quite aware that they have laid a claim to that territory, and I believe they have a legal right to it.

2411. What territory are you speaking of?—The Hudson's Bay territory.

2412. Irrespectively of that claim, and adverting merely to the advantage of the Indians, what do you think would be the effect of throwing open the fur trade indiscriminately to all comers?—In some respects the Indians would be benefited; I see no objection but one: that is, that there might be a possibility of spirituous liquors being introduced into that territory in greater quantities than they now are introduced.

2413. Do you believe that they are introduced in any considerable quantity?—I have very great reason to believe so.

2414. Are you speaking of the entire territory, or only of those parts of the territory that adjoin the settled districts?—From the most correct information that I can procure, I believe that the Hudson's Bay Company have discontinued the sale of spirituous liquors in the northern portions of their territories, but that in the country south of the Saskatchewan, and down to the frontier, spirituous liquors are either given or bartered; at any rate supplied to the Indians; there are facts to prove it, which I have here.

2415. With regard to the fur trade, merely looking at it as a trade, do you believe that if the trade was indiscriminately thrown open to everybody the consequence would be the destruction of the fur-bearing animals or not?—I think not; I think that is proved by the fact that even in the western states of the United States the fur trade is still carried on to a very great extent; I believe there is now a fur merchant in London, Mr. Lampson, who is the agent for the American Fur Company and for the American fur traders; I believe his sales are quite as large as those of the Hudson's Bay Company; but the furs are inferior in value; they are of a coarser description, as all furs in southern latitudes are.

2416. Mr. Edward Ellice.] Does that remark apply to all furs, or to a particular sort of furs?—The aggregate of the sales, I believe, is about the same as that of the Hudson's Bay Company.

2417. Do those sales include all sorts of furs, or are they especially confined to one or two descriptions of animals?—I believe they include all sorts of furs, as far as I have been informed.

2418. Chairman.] Are you at all aware of what has been taking place during the last few years in the United States; of the wars that have been going on between the white and the red man, and of the bloodshed that has so been occasioned?—Yes; I have read many accounts of these wars.

2419. They have been very dreadful, I believe?—They have.

2420. There has been absolute peace, has there not, in the Hudson's Bay territory between the white and the red man?—The numbers of Indians in the Hudson's Bay territories are so few that there could not have been any great wars. As stated by Sir George Simpson, the other day, I think the whole number of the Indians in the thickwood countries, as he called them, was only about 30,000 odd; and when that is distributed over such an immense area, it is impossible that these Indians, so distributed, could get up a war.

2421. You believe the Indian tribes in the United States to be far more numerous?—Yes, and of a far more warlike character.

2422. In fact, it is a country more fitted for the subsistence of human beings?—Decidedly so.

2423. Should you have no apprehension that, in this vast territory now subject to the Hudson's Bay Company, if there was an uncontrolled admission of whites, to trade in furs in that territory, there would not spring up wars between the white and the red man of a very atrocious character?—I do not see any probability of it, for the Hudson's Bay Company do not pretend to control

control these Indians; and they do not pretend to exercise any influence over them so far as I am aware.

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2424. Do they not practically exercise a very great influence over the Indians?—They may.

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2425. Do they?—I do not know that they do.

2426. You do not believe that they do?—I do not believe that they do. I have never seen any instances in which they have any practical influence of that kind which you speak of; their influence is entirely connected with trade; I do not believe that they have anything else to do with the Indians than procure furs at the cheapest rate they can, and deal with them.

2427. You do not think that they exercise their influence to keep order in the country, and to uphold justice, so far as it is possible to uphold justice, through so great an extent of country, in the circumstances in which they are placed?—I believe it is a principle of the Hudson's Bay Company's administration not to interfere in the quarrels or disputes of tribes at all, or to interfere as little as possible. If any aggressions are made upon the whites by the Indians, then they punish them severely.

2428. In short, in your opinion, the interests of the red man would not suffer if the whole territory was thrown open to white men, without any restriction or control?—I think they would not, if there was a guarantee that spirituous liquors should not be introduced into the territory; if there were proper means for preventing it.

2429. Do you believe that it would be possible, if rival traders were competing with one another in the chase of these fur-bearing animals, through the instrumentality of the Indians, to prevent or restrain those parties thus competing with one another from having recourse to the supply of spirits to the Indians, which is the most attractive means of influencing them?—I believe it would be difficult, but not impossible; at least, to a very great extent. I believe the practice in the American Fur Company's territories, if I may use the term, that is, in those portions of the territories occupied by Americans, is to allow no person to trade in furs without a licence, which licence is forfeited upon the finding of any spirituous liquors in the possession of the trader; one trader is set to watch the other; they have each an interest in informing upon each other; and I believe, upon the whole, that spirituous liquors are not largely used. I have here rather a remarkable paper; a complaint by the American Government against the Hudson's Bay Company for supplying spirituous liquors in large quantities to the Indians; a complaint addressed to our Government, and printed here in the form of a Parliamentary Paper.

2430. Mr. Edward Ellice.] What is the date of it?—1850. (*The Witness delivered in the same.*)

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2431. Chairman.] You believe, then, speaking in the interest of the red man, that it would be for his advantage that the monopoly of the Hudson's Bay Company in fur trading should be abolished, and that the country should be thrown open to the unlimited competition of any persons who might wish to engage in it?—I should not like to express a very decided opinion upon the point. I should very much like to hear the evidence of the Bishop of Rupert's Land, and the clergymen who have been in that territory, before I would express any distinct opinion upon the matter.

2432. \*You have considered these questions for a great many years; have you not formed a decided opinion upon a point of that description?—I have not.

2433. It is a point on which a great deal turns, is it not?—It is a very important point.

2434. You are, doubtless, conversant with the state of things which existed in that country when there was competition in the fur trade between two great companies, the North-West Company and the Hudson's Bay Company?—I have read of the disputes that took place between them.

2435. What was the state of things then?—There was a great deal of disorder and violence in the territory; I think that under present circumstances these disorders would not arise again; there was an absence of any controlling power in the country in those times; there were no clergymen nor missionaries; there was no public opinion of any sort or kind.

2436. You think that there could be an efficient system of control established

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which would prevent those evils for the future?—By extending the Canadian Government over those territories, not otherwise.

2437. Do you think that the Government of Canada could undertake to keep peace and order, and to enforce a proper system of check and control over this vast territory, which would prevent these evils?—If they did not I should not recommend the territories being thrown open.

2438. Do you think that the Canadian Government could do it?—I believe it is their wish to do it; I believe they could undertake it, because that territory is now practically governed from London; why should it not be governed from Toronto much more easily?

2439. At present it is governed from London by a company who have a monopoly of the trade, and have their servants scattered all over the country?—Precisely.

2440. It would then be governed by an authority at Toronto which would have no trading interest in the matter, but would have the duty of keeping order through all this vast territory; that would be the difference, would it not?—That would be the difference.

2441. And you believe that the system would work equally well?—A force would be required in the Red River Settlement, which force would keep the whole territory under control; because access to any part of the northern districts there, is by one outlet or one opening, the Saskatchewan River, which enters into Lake Winnipeg; you cannot approach Mackenzie's River, Athabasca, or any of those territories in the north, except through that one opening. A custom-house or a little garrison established there would exercise an effectual control and supervision over everything which entered the country.

2442. What you would propose would be to join the whole of this immense territory on both sides of the Rocky Mountains to the colony of Canada?—I am afraid that it will come to that; I should hardly call it a plan, but I am afraid there will be no other way of settling the difficulty.

2443. There would be a considerable expense incurred, I presume, in maintaining order through so vast an extent of country?—There would be the expense of establishing a force at the Red River territory.

2444. There must be posts scattered all over the country, I presume?—I believe order could be maintained without stationing those posts all over the country.

2445. How could the expense be defrayed, whatever it was, of governing and administering the affairs of a country of this description?—The trade of that country is considerable; a tax could be laid upon the trade to defray the expense of controlling and conducting it.

2446. Do you think that it would not answer the purposes of Canada as a colony better, to have joined to Canada any country in its vicinity over which it is at all probable or possible that settlement should extend?—I am not prepared to speak upon that point; I only judge of the sentiments of Canada from the newspapers. Merely stating my own opinion, I should say that there might perhaps be no objection to it, and that the arrangement on the whole might be a beneficial one, taking the territory gradually as they required it.

2447. But do you think that it would be expedient or advisable to join Vancouver's Island, for instance, to the colony of Canada?—Vancouver's Island is quite a different consideration; I think there ought to be a separate colony there.

2448. With regard to the country on the mainland adjoining Vancouver's Island, which may be adapted for the purposes of settlement, would it not be more convenient that that should be made a colony, and that its inhabitants should manage their own affairs, rather than be obliged to go to Toronto for that purpose?—I think the whole of the territory west of the Rocky Mountains must be administered from Vancouver's Island, if it is thrown open. The Canadians may, however, think differently.

2449. Then you are speaking merely of Rupert's Land?—Merely of Rupert's Land; the territory to the north of Canada. I believe it is our interest to people that country, because the United States are fast peopling the territory along the frontier, and they will have that territory from us unless we do people it.

2450. You think that it would not be enough, if such an arrangement could be made, to take away from the Hudson's Bay Company any such territory as could

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could be made use of for the purposes of settlement for a long time to come ; but that it would be also desirable to take from them that portion of their territory which could only be applied for the purposes of the fur trade, and to throw it open to unrestricted competition ?—I am looking at the inducements which would lead emigrants into that territory ; I do not think they would go from Canada to the Red River Settlement merely for the purpose of obtaining land ; they could get land in abundance in Canada. If, therefore, our object is to people that territory, we must hold out an inducement to them by throwing open the fur trade to them. But even otherwise I do not think it is possible to enforce a monopoly in that territory ; you cannot do it. If you throw open Red River to the Canadians, you throw open the fur trade practically. There is no means of preventing those people going there ; you may just as well talk of establishing a monopoly in the gold fields of Australia.

2451. You think, whatever the difficulties are, that those difficulties must be coped with ?—I think so ; there is the case of the Red River Settlement ; they have gone into the fur trade in spite of all the endeavours of the Hudson's Bay Company, and it is a very insignificant colony. I have now a statement of the furs which were sent out from the Red River district by way of the United States. They are forcing a channel through there.

2452. Am I rightly representing your opinions as amounting to this, that you consider the thing inevitable, that, whether we wish it or not, the fur trade will, by the progress of events, be thrown open to competition ?—That is my opinion.

2453. But that you are doubtful, if it could be prevented, of the effects that such a change would produce upon the interests of the Indians, as far as they are concerned ?—Yes ; I wish to reserve my opinion upon that point.

2454. You referred to a paper giving an account of the fur trade going on with the Americans ?—The trade going on between the Red River Territory and the United States.

2455. Mr. *Edward Ellice*.] What is that paper to which you refer ?—An extract from a newspaper which has been put into my hands within the last two days. If it is received as evidence, I shall feel bound to give the date, and the name of the paper. It is evidently an authentic document as far as a newspaper statement can be so : “ Here are a few interesting Minnesota items. The towns along the western bank of the Mississippi are rapidly improving in trade and population. A new land office is soon to be opened at Buchanan, near the head of Lake Superior. St. Lawrence is the name of a new town, 15 miles above Shakopee, on the Minnesota River. Trade between St. Paul and Superior is quite brisk. The total amount of peltries from the Pembina, Red River region, exported from St. Paul, Minnesota, for 1856, is as follows :—64,292 rats ; 8,276 minks ; 1,428 martens ; 876 foxes ; 3,600 coons ; 1,045 fishers ; 10 wolverines ; 364 badgers ; 2,032 wolves ; 405 otter ; 2,542 rit-foxes ; 610 deer ” (skins probably) ; “ 20 cross-fox ; 8 silver fox ; 50 lynx ; 7,500 buffalo robes, and 586 pounds of beaver ; worth, in the aggregate, about 97,000 dollars.”

2456. You do not consider yourself responsible for that statement ?—No, it is simply a newspaper statement.

2457. Mr. *Kinnaird*.] Is it from an English or an American paper ?—It has only been sent to me within the last two days, and in that form. I have written to ask where it is extracted from, and of course, if it is received as evidence, I shall be able to state in a few days.

2458. Mr. *Gordon*.] Do you credit it, from the other sources of information which are open to you ?—I do.

2459. Mr. *Grogan*.] I believe you had a long correspondence with the Colonial Office relative to a petition to Her Majesty which was sent from the Red River Settlement some years ago ?—Yes. I laid that petition before Lord Grey. I was myself resident at the time in England ; but I am not responsible for the statements of that petition in any way. I believe them to be true ; and I produced evidence in the course of those papers to support the statements made by the petitioners as far as I could.

2460. Am I to understand that you were concerned in getting up the evidence which is contained in these papers ?—Yes, but not in getting up the petition ; I had no connexion with the petition.

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2461. I refer to a variety of papers that were inclosed which were forwarded to the Colonial Office in support of that petition from Red River?—Yes.

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2462. You got up this evidence to back up the statements of the petition?—Precisely.

2463. You have no question or doubt of the accuracy of these papers?—No, unless there are some misprints; there are some misprints in the course of them.

2464. In page 78 of the Parliamentary Paper entitled "Correspondence relative to Complaints of the Inhabitants of the Red River Settlement," there are the names of five retired servants of the Hudson's Bay Company, and some very strong statements are there contained?—Yes, I have seen them.

2465. Did you know any of those servants yourself?—The last two I knew personally; as to the other three, I know where they are just now, and know their friends, and know them to be respectable persons.

2466. Have you any doubt whatsoever of their being trustworthy and truthful men?—None whatever.

2467. And you place full confidence in their statements?—In the statements given here I do; they agree with my own observations and experience.

2468. Will you turn over to page 80: "Are there any schools for the instruction of the natives where you have been?" appears to have been a question sent to these five servants?—Yes.

2469. They respectively answer, "I do not know of any." "None." "There are no schools for the instruction of the natives." "None at the posts I have been at." "A school was lately established at Norway House." Does the statement there correspond with your knowledge of that Red River Settlement, and of the general management of the Hudson's Bay Company with regard to the education of the people?—It is perfectly true, I believe, to this day, as far as the Hudson's Bay Company are concerned. That is making a distinction between the schools established by the missionaries and the schools established by the Hudson's Bay Company, of which there are none that I know of, with the exception of one at the Red River Settlement, an academy established for the education of the children of the officers of the Hudson's Bay Company, and under the charge of the bishop.

2470. It is under the supervision of the bishop; but who is at the expense of the school?—The Hudson's Bay Company contribute 100 *l.* a year towards the school; but it is a self-supporting school; pupils pay, I think, about 30 *l.* a-year to it; it is a school of a superior class.

2471. Mr. Charles Fitzwilliam.] Were you yourself educated there?—I was.

2472. Mr. Grogan.] And you had to bear your share of the contribution?—Yes.

2473. With the exception of the contribution of 100 *l.* a year to that school of a superior class, is there, as far as your knowledge goes, any school in the territory of the Hudson's Bay Company assisted by them?—I know of none.

2474. Mr. Edward Ellice.] Are you speaking of the period when you were there?—As far as my information extends down to the present time.

2475. Mr. Grogan.] Are you now speaking of the state of things at the time you were there?—Yes; and I believe the same state of things exists at the present day.

2476. The evidence you have just given us was, in the first instance, confined to your own knowledge; it is some time since you left the settlement?—It is some time.

2477. Have you been in close communication and correspondence with any of the settlers in that locality since that time?—Ever since, down to the present time; continuously; uninterruptedly.

2478. Do you conceive yourself in a position, by reason of that correspondence, to speak of the state of the settlement at present?—I do.

2479. You have no doubt, whatever, that you represented the opinions of the settlers in the correspondence with the Colonial Government in 1849?—No doubt whatsoever. And I may mention, that since that time, in the last three or four years, a portion of my family who were resident at Red River have come over, and are now living with me, and they of course have given me more recent information.

2480. Mr. Edward Ellice.] I think you said, that with reference to those complaints of which you were the organ, you were not responsible for the statements contained in them?—Not for the petition.

2481. Mr.

2481. Mr. *Raebuck*.] But I suppose you hold yourself responsible for every part of the evidence which you are now giving as your own opinion?—I do.

2482. Mr. *Grogan*.] I referred you to page 80 under the head of the question, "Are there any schools for the instruction of the natives where you have been?" There are five answers of these five servants, which, down to 1849, you believe to be literally correct?—Yes, I do.

2483. Are you able to say whether, at the present date, you consider that those answers would be applicable?—I believe so; with the exception which I have formerly mentioned.

2484. Namely, that there is one school to which assistance is given of 100 l. a year?—Yes, and none other.

2485. The next question is, "Are you aware of any attempts of any kind having been made by the Company to civilise the natives and instruct them in religion?" You have the answers before you. No. 1. "They are kept in ignorance and darkness." No. 2. "No." No. 3. "None." No. 4. "Not aware of any." And No. 5. "Not aware of any." Are you equally satisfied of the correctness of these replies in 1849 as you were of the previous ones?—That is my opinion at the present time, distinguishing between the attempts made by the Missionary Societies, and partially assisted by the Hudson's Bay Company, as we heard the other day, and the attempts made by the Hudson's Bay Company themselves.

2486. You say the missionaries partially assisted by the Hudson's Bay Company. Can you define it more accurately?—I heard it stated the other day, in reply to a question of this nature, that the Company give certain sums of money, varying from 50 l. to 150 l., to missionaries. I know that these are given to the missionaries individually; that no account is exacted of the expenditure of these sums; that no returns are made to the Company of the way in which education may be advanced by these sums; that they are given, in fact, to the missionaries, and not to the missions, and are, upon the whole, rather an impediment to them than otherwise.

2487. *Chairman*.] How do you mean "an impediment" to them?—In this way, that it makes them shut their eyes to many matters which occur.

2488. Mr. *Edward Ellice*.] I believe those missionaries are not appointed by the Company?—No, by no means; they are paid from other sources, and these sums of money are given to them additionally. I am loth to say so, but they are, in effect, sops to the missionaries.

2489. *Chairman*.] In point of fact, do you believe that Christianity has made any progress among the Indian tribes?—I believe it has made very rapid progress in the last few years, since the bishop went out there.

2490. Is that among the tribes in the immediate vicinity of the settled country, or far back into the wilderness?—As far as the Saskatchewan. I believe that, at the missionary station, near Cumberland-house, on the Saskatchewan, the Indians have made very great progress.

2491. I believe the settlers at the Red River are, upon the whole, a very moral and well-ordered community, are they not?—I believe so; especially the English race, and their descendants.

2492. Mr. *Edward Ellice*.] Your observation with regard to these sums of money being a sop to the missionaries, I presume, does not apply to the sum of money that the Company pay to the bishop?—The sum of money that is paid to the bishop by the Company is paid under an arrangement sanctioned by the Court of Chancery. The Company cannot withdraw it if they try, but the others they can withdraw.

2493. You are aware that it was a voluntary gift on the part of the Company?—Yes, I believe it was; on the understanding that Mr. Leith's bequest should be devoted to the establishment of a bishopric, the Hudson's Bay Company added a certain amount.

2494. Mr. *Kinnaird*.] You say that the missionaries accept these sums from the Company as sops to close their eyes to various things?—They act as sops, that is their effect; I should be sorry to say they were accepted as such.

2495. You say that they are given as sops, which induces them to close their eyes to various matters; will you kindly state to the Committee what are the various matters to which they close their eyes?—The obstructions which the Company make to the settlement of Indians around them. My statement is,



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that the Company have in various cases directly opposed and forbidden the settlement of Indians around the missionaries.

2496. Will you kindly give us an instance?—I believe a clergyman from that territory is about to be examined after me. I will give the names of gentlemen who can give instances: Mr. Corbett and Mr. Hillier.

2497. Mr. *Edward Ellice*.] Mr. Corbett, I believe, is a gentleman attending here to give evidence?—I believe he is. I will name a gentleman from each of the societies which have missionaries in that territory; they are all in England, and can be brought up before this Committee. In addition to the names I have given, there is Mr. Barnley, of the Wesleyan Missionary Society, who has written a letter to me, which is printed in this book; this ("Fitzgerald's Examination of the Charters and Proceedings of the Hudson's Bay Company."

2498. Mr. *Kinnaird*.] You have mentioned one fact; will you name another?—I name three missionaries who can give distinct and specific particulars in proof of what I have just stated; two of them have mentioned to me that the Company directly and positively prohibit the settlement of Indians about them.

2499. That is one point. You spoke in the plural: "matters." Can you give any of your own knowledge?—None, except as communicated to me by these parties.

2500. Mr. *Adderley*.] You say that you have property in the Red River Settlement?—A farm.

2501. Did you purchase it yourself?—No; it was given to my father before me, and he having been dead for several years, it came to me as his heir.

2502. When you say it was given to your father, have you any objection to state to us how it came into his possession?—I was quite a boy at the time, and I really am not aware how it came into his possession. I have never cultivated it to any great extent myself, and have never taken any great interest in it; it is perfectly valueless where it is now.

2503. I do not wish at all to pry into your private affairs, but as far as you are inclined to tell us will you state the agency by which that property is managed?—I have an uncle resident in the Red River Settlement who has the house and land in charge. It happens to be contiguous to his own property. I do not know that it is cultivated to any great extent, for land is so valueless in that territory that nobody will rent it, and there it remains.

2504. Is your uncle of your own name?—No; it is Mr. Philip Kennedy.

2505. Are there many absentee proprietors of land there?—I believe not. The fact is that the land is valueless; having no outlet for what they raise, there is nobody that will rent it.

2506. What is the nature of your interest in that land; have you the fee simple?—I do not know that there are any papers connected with it, at least I never inquired into it. It is like most of the land that is held there: held by usage, I believe. My father was an officer in the service of the Hudson's Bay Company. He got this land to retire upon, I believe.

2507. Was he in the nature of a lessee to the Company or was he owner?—Owner, so far as I am aware.

2508. And you believe that you are owner of that land, and in no way the lessee of the Company?—I believe so.

2509. Is that the usual tenure of land in that neighbourhood?—I have a land deed here which will enable the Committee to judge of the nature of these land deeds. I have a land deed fully executed which was sent to me as a specimen.

Vide Appendix.

2510. Did your father purchase the land from Lord Selkirk or from the Company?—It was not purchased; I believe that there was an arrangement some time ago by which persons who wished to retire from the Hudson's Bay Company's service were entitled to a lot of land if they chose to take it.

2511. When your father came into possession of that property was it in Lord Selkirk's time or were the Company then owners of the soil?—I cannot say; I was not above 11 years of age at the time, and I cannot give any explanation of any value.

2512. Have you increased your property there?—No; not at all.

2513. Would there be any difficulty in your increasing your property, if you wished to become owner of the adjoining land; and to enlarge your estate there?—One of the clauses of this land deed is, that no holder of property shall

shall sell it or underlet it, or assign it, without the written permission of the Hudson's Bay Company. Therefore, if I wished to increase my property, by buying the property of my neighbour, I should have to get the permission of the Hudson's Bay Company.

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2514. Is the property occupied all round your property?—It is.

2515. Do you suppose that there would be any difficulty in procuring such a license to sell, if the owner wished?—I do not know that there would; I do not know that the matter has ever been brought before the Company.

2516. You know of no case in which the Company have been applied to for such a license to sell, and have stood in the way of it?—I have known of no case.

2517. Do you believe that it does impede the transfer of property?—I am not aware that it ever has impeded the transfer of property.

2518. When you talked of the obstruction to settlers, you talked rather of a negative obstruction, such as the Company having made no efforts to provide a market; are there any positive obstructions on the part of the Company, to the settlement of the possessions of the Hudson's Bay Company?—I do not know of any case in which land has been applied for in the Red River Settlement, in which it has been refused. The obstructions to settlement, that I spoke of, were obstructions to procuring a market for the produce of the settlers; negative obstructions rather than direct ones.

2519. What is considered the ordinary price of land there?—It has been stated in evidence lately, that it was 7s. 6d. I see it stated by the late Mr. Thomas Simpson, in the Parliamentary papers which have been referred to, at page 58, at 12s. 6d. Mr. Thomas Simpson was the accountant for the Red River Settlement at the time that he wrote this statement, as given in his "Life."

2520. Are there any regulations passed by the Company, with regard to the system of land sales?—None that I know of, beyond the fact that every person who holds land is required to take out a land deed of this character.

2521. Do you know, at all, the terms on which squatting has taken place near any part of the boundary of the Company's territories?—I believe parties have squatted down, and they have not been molested.

2522. Do you know of any cases of squatting upon agreement between the squatter and the Company?—I never heard of such a case.

2523. To what did you allude in the Canadians having laid claim to a legal right to a share of the trade in these territories?—They consider themselves the legitimate successors of the French in Canada, who occupied the greater portion of Hudson's Bay, before the country was ceded to Great Britain by the treaty of Utrecht; the right of the French to the greater portion of the trade of Hudson's Bay was definitively acknowledged by the treaty of Ryswick. There is an express clause in that treaty, by which the right of France to trade in Hudson's Bay is acknowledged. Some of the old maps, several of which are in the possession of the Geographical Society, show the extent of the ancient possessions of the French in Hudson's Bay.

2524. Have the Canadians laid any specific claim lately?—I understand that they have appointed a commissioner, Mr. Chief Justice Draper, to come over here to defend their claims, in the event of the legality of the charter of the Hudson's Bay Company being submitted to a legal tribunal.

2525. When you suggested the annexation of this territory to Canada, and the spread of the Canadian Government over this territory, I suppose you did not mean to suggest a forcible military occupation of this country by forts or posts, by the Canadian Government, but an administration of the country by a local magistracy?—Precisely so; for the Canadian Government to administer the territory, in the same way that the Hudson's Bay Company, in England, administer the territory, or govern it in any way that may be considered most advantageous.

2526. You expressed a distinct opinion that Vancouver's Island and the western portion of this territory would probably be best made a separate colony at first?—Yes, that is my opinion.

2527. In regard to the larger internal district, did you mean that Canada should be free to extend itself gradually, or that it should at once be embraced within any system of government in Canada?—The portion of territory to which I alluded there was the territory east of the Rocky Mountains. I stated that I did not think it possible to prevent the Canadians from engaging in the

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fur trade, and under those circumstances I think it would be better for the jurisdiction of Canada to be extended over that whole territory, in order to prevent disorders arising in that territory.

2528. But that administration might be made local, although the head quarters of the government were at a distance in Canada?—It must be local to a certain extent. I presume that the Red River Settlement, for example, would send representatives to the Canadian Parliament immediately; that there would be townships erected in cultivated districts in the same way as in Canada, and that the people living in those settlements would spread themselves northward and engage in the fur trade; and that eventually the fur-trade, which is now forced through the unnatural channel of Hudson's Bay, would be brought down through the route that connects Lake Superior with Lake Winnipeg.

2529. In your opinion the distance of that country from the head quarters in Canada would not impede a very efficient local administration?—The distance is not great. I have the distances in miles between Red River and York Factory and Hudson's Bay on one side, and between Red River and Lake Superior on the second, and between Red River and St. Peter's on the third, comparing the three routes to Red River.

2530. Will you state the distances to which you allude?—Beginning from Pembina, which is precisely on the boundary line, there are 163 miles to the mouth of Red River; across Lake Winnipeg, 300 miles more; thence to York Factory, 382 miles; making a total of 845. The route to the Falls of St. Anthony, that is the route through Minnesota, is as follows: from Pembina to the Sioux River is 310 miles.

2531. Mr. Charles Fitzwilliam.] Whereabouts is the Sioux?—It is about half way between Pembina and the Crow River; thence to Crow River is 439 miles; thence to the Falls of St. Anthony, where St. Peter's is situated, I believe, is 300 more; making a total of 1,049 miles from the frontier. From Pembina to Fort Alexander, that is down the river and up and across the Lake to Winnipeg River; the Winnipeg River, is 230 miles; up the Winnipeg River to the Lake of the Woods is 175 miles; across the Lake of the Woods is 75 miles; thence to Fort William, on Lake Superior, is 453 miles; making a total of 933 miles. That is a circuitous route. A shorter route is by going from Red River direct to the Lake of the Woods by Rat River or Reed Grass River, which enables us to avoid obstructions in Winnipeg River. It shortens the route by 405 miles; leaving the distance between the settled part of Red River and Lake Superior 528 miles, the shortest route of any.

2532. Is there a portage from the Rat or Reed Grass River across to the Lake of the Woods?—There is an actual outlet, by the account of Major Long, who has made a topographical survey of the whole of that district; he was sent there by order of the United States Government, and has published the most minute and reliable account of that territory which we have.

2533. So that it is a continuous water communication?—Yes.

2534. Mr. Roebuck.] You just now said that you thought that that portion of the territory east of the Rocky Mountains should be aggregated to Canada and submitted to its jurisdiction?—Yes.

2535. Would not it be possible to erect that territory into a separate individual colony, bordering upon Canada, just as Minnesota borders upon another State in the United States?—There is not capital or wealth enough in that territory to develop its resources.

2536. Do you know the number of inhabitants required to make a territory in the United States?—I forget the exact number; I am not certain.

2537. It must begin at some time, and would it not be possible to erect it into a separate colony so soon as a sufficient number of inhabitants got there to create a body of persons subject to dominion?—The Red River Settlement is now capable of being formed into such a territory; as far as regards the number of the population.

2538. Why would you aggregate it to Canada?—I think it would be more advisable, because the Canadians would assist in the development of the resources of this great territory, whereas the Red River settlers have not the means of doing justice to the country in which the settlement is placed.

2539. How does it happen that the Canadians would be more able to develop the resources of the country, if the country were under the dominion of the Government of Canada, than if it were governing itself?—There would be

be a greater interest on the part of the Canadians to open up a communication; for example, between Lake Superior and Lake Winnipeg. They would be directly interested in the fur trade, and they would apply capital to the opening up of a practicable route, which the Red River people have no means of effecting.

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2540. Would they be more directly interested when the country was under their own dominion than when the country was governing itself?—I believe they would; they are asking for the territory.

2541. I suppose you are speaking of the interests of individuals, not of the interests of the States?—I am speaking of the interests of the Canadas as a province; I think they would be more directly interested in the Red River territory if it formed a portion of Canada, if it was called Canada North, for example, than if it was erected into a separate State, as you suggest.

2542. Then do you suppose that the people of the United States are not so much interested in the settlement of Minnesota, now that it has become a State, as they would have been if it had been aggregated to Iowa?—I do not think the parallel holds good exactly, for in one case you aggregate one State to another State, but here you aggregate an undeveloped country to a richer country than itself.

2543. Supposing Minnesota to be a territory, do you think that the people of the United States would be more interested in peopling that territory if it were united to Iowa than as a separate territory?—That is a question which it is difficult to answer. I do not think that these considerations weigh with people in settling Minnesota at all.

2544. Do you mean this, that the government under which the country is, if the country be well governed, is not a matter of consideration with private adventurers?—I think that in the United States it is generally understood that all territories are governed pretty nearly in the same way; that a good government is obtained in all the States.

2545. If there were a good government in that territory, and that good government were derived from the people themselves rather than from Canada, do you think that there would be the same interest in the people of Canada to aid and assist in the settlement of that country?—I am not competent to answer that question. I can only give my own opinion, which is what I have said before, that there would be a greater interest on the part of the Canadians in developing the resources of that country if it formed a portion of Canada than if it formed a separate province; for we all know that there is a certain jealousy between the British provinces of North America; for instance, I think Canada East would do more for Canada West than it would do for Nova Scotia, which is a separate province.

2546. Lord Stanley.] As I understand you, your great object is to obtain a convenient line of communication from the Red River to Canada?—Yes, that is the great desideratum for those territories.

2547. Red River having at present no outlet excepting the long and inconvenient one by Hudson's Bay and the one through the United States?—Yes.

2548. And you think that the resources of the Red River Settlement are not in themselves sufficient to contribute materially towards the making of such a line of communication?—I believe they are not.

2549. Therefore, if the work is to be done at all, it must be done either by the assistance of the Imperial Government or by Canada?—Precisely so.

2550. Sir John Pakington.] You stated just now that the Hudson's Bay Company obstructed the settlement of Indians near the missionaries; did you mean to make that statement generally or only with reference to the Red River Settlement?—Generally; and I referred to certain missionaries who could give more special information upon the point than I can.

2551. How do you know the fact?—It has been stated to me by themselves.

2552. Mr. Grogan.] Is it within your knowledge that the settlers at the Red River Settlement complain of the existing form of government?—They have done so; they did so when the petition was sent over here.

2553. Do they still adhere to the complaint which they made at that time?—I believe they have practically taken the government into their own hands.

2554. Is it within your knowledge that any application or complaint was ever made to the Government of America on the subject?—There was a petition addressed by the Red River settlers to the American Government, I believe.

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2555. Did you ever see a copy of that petition?—I have a rough copy of it; but whether it is authentic or not I have no means of saying.

2556. You are not able to speak of your own knowledge?—No; but there is a gentleman who can do so; Mr. M'Laughlin.

2557. Mr. Adderley.] What is the date of the petition?—It was about 1846, at the time of the excitement connected with the Oregon boundary question.

2558. What was the general purport of the petition?—I believe that they desired the American Government to annex the Red River territory to the United States, and promised them assistance against the Hudson's Bay Company, in the event of a war; I believe that was the object of it.

2559. Mr. Edward Ellice.] Was that John M'Laughlin?—Yes.

2560. Mr. Roebuck.] How many years were you in the country before you left it?—I was there up to about the age of 19, with the exception of about four years that I was at school in this country; I was all that time in those territories.

2561. When you left the territory you were about 20 years of age?—Under 20.

2562. You had a full opportunity of judging of the climate?—Yes; and more especially from what I have since read of the climate, and facts which I have collected bearing upon it.

2563. Judging from your knowledge of the climate of the country, how far north do you suppose it to be a habitable country, and one in which settlement could be made?—I have myself raised corn as far north as Fort Norman, which is near the Arctic Circle, on Mackenzie's River; I have raised barley and potatoes there.

2564. When you use the word "corn," do you mean Indian corn or cereal?—Barley and oats; chiefly barley; I have also raised potatoes.

2565. Do you know the latitude of Fort Norman?—It is about latitude 64 or 65, I believe.

2566. How many miles is that north of our boundary?—I could hardly answer the question without reference to a map; it is upwards of 1,000 miles.

2567. It would be a sufficient territory to make a large state?—A very large state indeed.

2568. Mr. Bell.] Fort Norman is near the Great Bear Lake, is it not; the most northerly lake on the map?—It is opposite the Great Bear Lake.

2569. Mr. Roebuck.] Then in your opinion settlement might extend to the Great Bear Lake?—It is possible.

2570. Mr. Edward Ellice.] Is it probable?—No, I believe it is not probable; for there is such an immense extent of territory south of it that it is not necessary.

2571. Mr. Roebuck.] Taking half way, would wheat ripen half way up to the Great Bear Lake?—I have here the limits of the cultivation of these cereal grains from observation. Wheat grows freely, according to the statement of Sir John Richardson, who has paid a great deal of attention to that subject, as far north as the banks of the Saskatchewan River.

2572. The North or South Saskatchewan?—There is but one branch where the wheat has been tried. The southern branch is not occupied at all by the Hudson's Bay Company. Wheat grows occasionally, but it cannot be depended upon, at Fort Liard, on one of the tributaries of the Mackenzie River. It is the most northerly situation which I know where wheat has ever been attempted. Barley grows as far north as Fort Norman. It has been tried at Fort Good Hope, and has failed. The limit of the growth of potatoes may also be said to be Fort Norman. Although they have been raised at Fort Good Hope, I believe the crop may be considered a failure. Maize, or Indian corn, is cultivated in what is called its green state, between the parallels of 49° and 51°; beyond that it is uncertain.

2573. Will it ripen there?—It ripens very well at Red River, which is about 49°, and I believe it is grown at Cumberland House.

2574. Mr. Lowe.] Does it bear the grain at Red River?—Yes, very large; as well as it does in the States of America. A kind of rice, called "wild rice," is grown in the territory between Lake Winnipeg and Lake Superior; in the lakes and rivers, in very large quantities indeed. It is the chief food of the Chippewa Indians.

2575. Mr.

2575. Mr. *Edward Ellice*.] Have you seen the Indian grain ripen at Red River?—Repeatedly; at least the Indian corn.

2576. Mr. *Roebuck*.] Have you ever been in Vancouver's Island?—I have not.

2577. Mr. *Adderley*.] Do you know of any amelioration of climate by cultivation?—I have heard of frosts in the Red River Settlement injuring the crops; but in my time I never heard of such cases, and I presume from that that the cultivation does ameliorate the climate.

2578. Mr. *Bell*.] Do you know anything of the fisheries on Mackenzie River?—Nothing, except from what I have seen there myself. There is no account of the fisheries anywhere. A few fish are found in the river, but it is not a productive fishery.

2579. It is not valuable?—It is not valuable. I presume you allude to the fishery in the river itself?

2580. Yes, or towards the mouth?—There is a valuable whale fishery to the north of it.

2581. Have you reason to believe that the regions where there are whales would be accessible to whalers?—I believe that whalers have gone into that part round by Behring's Straits. I have not the document by me, but the President of the Geographical Society, Admiral Beechy, in his address to the Geographical Society, about two years ago, gave a statement that the United States had derived from that portion of the Arctic Sea, in the shape of oil and other materials from the whale fishery, a return of about, I think, 7,000,000 dollars. I cannot undertake to state the sum.

2582. Did you ever hear of any porpoise fishery near the mouth of Mackenzie's River?—I know that whales are abundant there, for I have seen portions of the skin of the whale in the possession of the Indians who usually visited our establishments.

2583. When you were in the Mackenzie River district, were spirits introduced among the Indians?—Not in the Mackenzie River district.

2584. Mr. *Edward Ellice*.] Will you look at the mouth of the Mackenzie River. Do you see Baring Island just beyond it?—I know Baring Island.

2585. Was not that the place where Captain McClure was laid up for so many years and nearly lost?—Yes; the large Baring Island, for there are two

2586. It is in the Arctic Sea?—Yes.

2587. Mr. *Bell*.] That is considerably north of the mouth of Mackenzie River?—Yes, and to the east considerably.

2588. Mr. *Edward Ellice*.] The navigation off the mouth of Mackenzie River is not free, is it?—That bay is generally open in the summer.

2589. How do you get at it?—By Behring's Straits.

2590. Is it always accessible from Behring's Straits?—There are no means of ascertaining that: it has been got at through Behring's Straits, and also through Mackenzie's River. Franklin passed from Mackenzie's River up towards Behring's Straits, and Pullen and others came from Behring's Straits to Mackenzie's River.

2591. Do Captain Collinson's and Captain McClure's accounts lead you to suppose that there is a free navigation generally through Behring's Straits to the mouth of the Mackenzie River?—I have seen nothing to disprove the impression on my mind that that part of the Arctic Ocean is generally open and accessible, but I know that it is not accessible more to the north of that.

2592. Mr. *Bell*.] What sort of a river is Mackenzie River; is it a navigable river?—A very fine large navigable river.

2593. To what distance up from the mouth is it navigable without rapids or other obstructions?—There is one immaterial obstruction near Fort Good Hope. I know of no other, until you come to the Great Slave Lake.

2594. Do you mean that vessels of any considerable size could pass, with the exception of that obstruction at Fort Good Hope, into the Slave Lake?—Yes, without any interruption whatsoever; it is a beautiful river.

2595. Mr. *Adderley*.] For how many months in the year is it so navigable?—The ice opens at Fort Simpson, which is the first fort from the Great Slave Lake, about the beginning of May. I should say that it opens at the mouth in about a month after, and it closes about October, generally.

2596. Mr. *Bell*.] From the Slave Lake into Athabasca Lake, up the Slave River, is there much obstruction?—The Slave Lake itself is navigable, but the

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Slave River, which connects the great Slave Lake with Athabasca Lake, is interrupted by frequent portages.

2597. Mr. *Edward Ellice*.] Do you think, practically speaking, navigation could be carried on there with steamboats?—On the Mackenzie's River, undoubtedly.

2598. Do you think they could be got there?—They must be either built on the banks of the Mackenzie's River, or they must be got by Behring's Straits.

2599. Mr. *Blackburn*.] I think you stated that the company had thrown obstacles in the way of exportation from Red River. What obstacles?—There were two gentlemen of the name of McDermot and Sinclair, (the case, I believe, has been reported in evidence before,) who desired to engage in the tallow trade from the buffaloes, of which there are immense numbers in the plains to the west of Red River. The tallow was taken down to York Factory.

2600. But you said by way of Pembina and the United States?—I do not know that I stated that in particular, but I stated general obstructions; between the United States and the Red River the obstacles were simply fiscal obstacles in the way of customs.

2601. By the United States?—Goods imported from the United States to the Red River, and goods exported from the Red River to the United States, pay, or did pay, a very heavy duty.

2602. To whom?—To the Hudson's Bay Company, at the time to which I refer.

2603. Mr. *Edward Ellice*.] Was not duty also paid by the Hudson's Bay Company itself upon those imports?—I am not aware whether it was so or not, but I believe it to be probable.

2604. Do you know for what purpose that duty was levied?—I believe it went to the Red River Colonial Treasury.

2605. To the settlement?—To the settlement, so far as I know.

2606. Mr. *Roebuck*.] Your statement, I think, is this: that the Hudson's Bay Company levies a duty upon exports and upon imports too; am I right in that supposition?—Upon goods going out from Red River to the United States, I am not aware that any export duty is levied. When I said exports and imports, I spoke of the obstructions which were thrown in the way of exports and imports.

2607. What obstructions are there upon exports from Red River to America?—If they are furs or buffalo robes, I believe they have been prevented from being taken at all.

2608. So that the Hudson's Bay Company prevent any exports of fur from their territories into the United States?—I believe so.

2609. Mr. *Edward Ellice*.] That they claim by virtue of their monopoly?—Yes.

2610. Mr. *Roebuck*.] And by that means they prevent the people of Red River Settlement paying for anything which they might pay for by that means?—Yes.

2611. So that that is one obstruction to trade?—Yes.

2612. I suppose the great means of commerce which those people possess consists in peltries?—I know of no other article which would bear the cost of transport between Red River and any part either in Hudson's Bay or in the United States.

2613. So that the Hudson's Bay Company, preventing the export of peltries, really puts an end to all commerce in that country?—Yes.

2614. Mr. *Edward Ellice*.] Did you hear Mr. Kernaghan's evidence on the last day; Mr. Kernaghan stated that he complained of the trade being diverted by Pembina, instead of going to Lake Superior; and he stated that as many as 500 wagons went down to St. Paul's from the Red River and sold their goods there, and came back again with supplies to the Red River; was that a fact or not?—I believe that there is a caravan which leaves the Red River for the United States very often; what they take out with them I do not know; I think it is chiefly for the purpose of getting supplies there that they do go.

2615. But they must take out something to buy the supplies which they bring back?—Yes; it is chiefly merchants in the colony.

2616. You do not know it of your personal knowledge, not having been there so long; but have you heard that the Company throw any obstructions or obstacles in the way of these caravans going there, and that they try to prevent them?—I do not know.

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2617. Mr. *Roebuck*.] You do not know if one of those wagons was loaded up to the top with furs whether it would be obstructed or not by the Company?—It would be seized; I know that there is a case of that kind on record.

2618. So that if a trader traded away his goods for furs with the United States he would not be allowed to take back those furs into his own country?—I do not think he would.

2619. Mr. *Edward Ellice*.] That would be an infringement of the Company's licence?—Precisely.

2620. Mr. *Roebuck*.] Therefore the Company's licence opposes trade in that country?—To that extent it does; there are other matters which are mentioned in this land deed which appear to be obstructions.

2621. Mr. *Grogan*.] What are they?—Those holding land are not allowed to import goods into Red River from any port but the port of London, nor from any part in that port of London but from warehouses belonging to the Hudson's Bay Company, nor in any other vessel or ship than the Company's ship. They are not allowed to introduce these imports into any port but one in Hudson's Bay, Port Nelson, which is named as York Factory, and there they must pay a customs duty of five per cent.

2622. Mr. *Edward Ellice*.] In what page of the deed is that?—The first page.

2623. What line?—About 10 lines from the bottom.

2624. Of what date is that deed?—1844.

2625. Mr. *Adderley*.] Supposing the whole of this territory to be taken out of the hands of the Hudson's Bay Company, do you think that you could make your property at the Red River Settlement more profitable than you now do?—It would become more profitable in the course of time with the increase of population.

2626. Do you yourself consider, as the owner of property in the Red River Settlement, that the claims of the Hudson's Bay Company interfere with your making the greatest profit of your property?—I do. I think that my property would be more valuable under the administration of Canada, for example, than under the administration of the Hudson's Bay Company. It would become more profitable in the course of time. No immediate change probably would take place.

2627. Do you suppose that if the territory altogether was handed over from the Hudson's Bay Company to the Canadian Government, it would instantly alter your mode of treatment of that property?—It is not likely that I shall ever return to Red River in my life; therefore I cannot answer that question directly. But I think it would have a very immediate effect upon those living in the territory; they would have an outlet for their produce in a very short time. People from Canada would come in who would require flour and other produce, which would give a ready market for all that the settlers can raise.

2628. Do you consider that it would increase both the outlet of the trade of the country itself and the immigration of people into the country?—Yes, one would follow the other; one is intimately connected with the other.

2629. Mr. *Edward Ellice*.] That is to say, if there were a good communication made with Canada?—Yes.

2630. Mr. *Adderley*.] And you think that that good communication would be more likely to be made under those circumstances?—I see no prospect of its ever being made otherwise.

2631. Mr. *Blackburn*.] I think you said that it was a very fine country and fit for settlement between Lake Winnipeg and Lake Superior?—In parts.

2632. Have you ever been through it yourself?—No; I judge from descriptions.

2633. Mr. *Lowe*.] Is there anything else which you wish to state to the Committee?—Only that it is very desirable, I think, on the part of this Committee, to endeavour to have that territory conveyed to Canada as speedily as possible, for the United States have their eye upon this settlement, and I believe are fomenting the discontents which are going on there. I hold in my hand extracts from a treaty between the United States Government and the Indians and half-breeds occupying the upper part of the Red River Valley, the object of which obviously is to get the Red River settlers now within our territory to their side of the border.

2634. Mr. *Adderley*.] To Minnesota?—Yes.



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2635. Mr. *Lowe*.] Whence do you get that treaty?—It is in a book published by Mr. Ross, of the Red River Settlement; it is extracted from the *Minnesota Pioneer* of the 30th of October 1851.

2636. Mr. *Grogan*.] Do you refer to Mr. Alexander Ross?—Yes.

2637. Mr. *Lowe*.] What is the date of that treaty?—1851.

2638. Between whom is it?—Between the United States Government and the Indians and half-breeds who lay a claim to the upper part of the Red River territory. The object was to induce the Red River half-breeds to go up and lay claim to the territory; they give them 30,000 dollars in hand, and for the next 20 years annually the sum of 10,000 dollars, except 2,000 dollars of it which is reserved by the President. The object is to get them there and keep them there; therefore I think it is desirable that there should be immediate action in reference to this territory, otherwise there is a likelihood of their being drawn over to the United States to our prejudice.

2639. Mr. *Grogan*.] You mentioned to us that cereal crops could be grown up to a very high latitude in your knowledge; is there anything peculiar in the formation of the land, or the geological qualities of the land, that would conduce to the growth of those crops?—Wherever the limestone secondary formations occur, there agriculture can be carried on; that is to say, in all the country intervening between the great lakes and the Rocky Mountains; all to the east of that district, with the exception of a small district round Hudson's Bay, is a granitic region filled with lakes and swamps; there cultivation to any great extent is not practicable, I believe.

2640. Mr. *Charles Fitzwilliam*.] In Colonel Lefroy's evidence he speaks of the frozen ground, and says that the soil is never thawed; that it is permanently frozen; can you explain what he means by that?—The northern parts of both the Asiatic and American continents down to a considerable extent have the soil frozen for several feet deep. I believe that the ground ice, as it is called, commences in those parts of America which have an average annual temperature of 32 degrees; that is a little to the north of the Saskatchewan River. It goes on increasing in depth until about Fort Simpson, where there is about 17 feet of permanently frozen ground. It thaws to a considerable extent in the summer season. But that does not interfere with the growth of trees, because they spread their roots over the frozen subsoil just as they would spread their roots over this table.

2641. Mr. *Kinnaird*.] They do not sink into it?—They do not sink into it; but those trees which have a large tap root, such as the oak and the other deciduous trees, do not flourish in those portions of the country which have a permanently frozen soil.

2642. Mr. *Charles Fitzwilliam*.] To what depth does the soil thaw in the summer time?—At Fort Simpson, for example, in latitude 62°, the thaw in October extended down to 11 feet. There was an experiment made in that place; that was the whole of the summer thaw. At York Factory, which is nearly in the same latitude, I believe, on the shores of Hudson's Bay, the thaw had penetrated only three feet. At Severn, which is further south, it had penetrated about five feet. All these experiments are detailed in the *Edinburgh New Philosophical Journal* for January 1841. A great variety of experiments were made and compared with experiments made in Siberia by Professor Bæer, of St. Petersburg.

2643. In the country that you are now speaking of there are thick forests of timber; at Fort Simpson, at York Factory, and at Severn, it is a wooded country?—It is a well wooded country.

2644. In the event of the country being settled up, and the consequent disappearance of the timber, would any material change be produced on the soil in respect of thawing?—If the woods were cut down, and a freer access afforded to the sun's rays, no doubt the thaw would be greater; but I believe that there would be a permanently frozen subsoil, though at a greater depth from the surface.

2645. Would that ground ice interfere with agricultural operations?—Not at all.

2646. Of no sort?—No. If the thaw is sufficiently deep, the frozen subsoil does not appear to affect the processes of vegetation in the smallest degree. In Siberia, which is in the same latitude as the northern parts of the Hudson's Bay Company's territories, there are large crops of wheat every year.

2647. Do

2647. Do you think that the country on Mackenzie's River is at all adapted to the wants of civilised man?—The climate is very severe there; but the soil, so far as I have an opportunity of judging, is tolerably well adapted for cultivation. You can raise barley and potatoes very well indeed.

2648. Mr. Grogan.] Without risk?—Without any risk whatsoever. And on the river Liard, which comes from the mountains, you can raise large crops; the soil is better on that river, and wheat has been occasionally raised.

2649. Mr. Bell.] You mean that if there was anything to induce people to settle there, independent of agriculture, they might cultivate agriculture, but would not be likely to go there for agricultural pursuits alone?—No; the yield is not equal of course to the yield of crops in more southern countries.

2650. Mr. Charles Fitzwilliam.] Do you know the Saskatchewan River?—I was born upon the banks of that river.

2651. Where?—At Cumberland House.

2652. Do you know anything of the coal on it?—I have collected all the information upon that subject, in a memoir which has been published by the Geological Society; there are some specimens of the coal in this country which have been examined by Mr. Bowerbank, the greatest authority we have upon these matters, and I believe the general opinion of geologists is, that it is a tertiary coal.

2653. Mr. Roebuck.] A lignite?—Yes; however, nothing more than the surface coal has been examined; I have seen the coal in that portion of the coalfield running across Mackenzie's River near Great Bear Lake; there is no doubt that there is a great coalfield there all the way to the Rocky Mountains; the coal was tolerable, where I saw it.

2654. If that country is granitic, how comes it that there is tertiary coal there?—The country is not granitic; the granitic tract lies east of the great lakes, which are situated in the line of fracture between the primary and secondary formations, their basins being mostly excavated in the latter. You find the east side always granitic, and the west side always limestone, or some secondary formation.

2655. So that that portion of the territory lying west of the line which you speak of is capable of cultivation because it is upon limestone?—Yes.

The Rev. Griffith Owen Corbett, called in; and Examined.

2656. Mr. Lowe.] ARE you a Clergyman of the Church of England?—Yes. Rev. G. O. Corbett.

2657. Have you been in the Hudson's Bay Company's territory?—Yes.

2658. During what period?—I left England in 1851 and arrived at Quebec. I then went to Montreal, stayed there till the navigation opened up, and thence I went to Buffalo, across the territory to Chicago; from Chicago to the Mississippi, and up the Mississippi 400 miles to St. Paul, and from St. Paul along the St. Peter's River, and thence up towards the Missouri to Pembina, and from Pembina to Red River.

2659. How long did you reside in the Hudson's Bay Company's territories?—About three years. I left in 1855. I took charge of the Grand Rapids District, St. Andrew's, as it is now called, the largest parish on the Red River.

2660. Whereabouts is that?—About 15 miles from the seat of government.

2661. What was your duty there?—I had sole charge of the parish, the Grand Rapids District.

2662. Were you a chaplain of the Company?—No.

2663. In what capacity were you there?—As a missionary of the Colonial Church and School Society.

2664. Did you receive any payment from the Company?—No.

2665. Were you under the Bishop?—Yes.

2666. Mr. Gordon. Did you ever visit Portage-la-Prairie?—Yes.

2667. Was not there a desire to form a missionary settlement at that place?—Yes.

2668. What led to that desire?—There were a number of settlers congregated on the Assiniboine River, about 50 or 60 miles from the seat of government, and these settlers petitioned for a missionary to be despatched to them for the instruction of themselves and their children.

Rev. G. O. Corbett.

2669. Was any objection made to the formation of a station there?—Yes.

2670. Mr. *Adderley*.] What was the date of that objection?—About 1853, I think; the people may have congregated to petition for a missionary earlier than that date, but I speak in reference to my own visit.

2671. Mr. *Gordon*.] What objections were made to the formation of a settlement there, and by whom?—I was given to understand that the Hudson's Bay Company would not permit the formation of a settlement there.

2672. Lord *Stanley*.] It is merely hearsay?—No, it is positive knowledge; when I arrived in the country two stations were placed before me, and I was to choose one of the two; among other features connected with these two spots, in respect of Portage-la-Prairie, there was the prohibition of the Hudson's Bay Company, so out of deference to the authorities in the country, as well as for other reasons, I chose a station lower down on the same river.

2673. Were you informed of the prohibition by any of the authorities themselves?—Yes, it was well known throughout the settlement.

2674. But were you informed of it?—Yes, by the archdeacon and by the bishop.

2675. You were not informed of it by any officer of the Hudson's Bay Company?—I think I had intercourse with the officers of the Hudson's Bay Company on the same subject.

2676. Were you told to what limits that prohibition extended?—I believe that the prohibition would extend as far as this, that no missionary would be able to obtain his supplies for his station if he went to that spot, so that he would be starved; if he ordered his goods, for example, from London, he could not rely upon getting them.

2677. You have misunderstood the question which I intended to put to you. To what extent of country did this prohibition of settling in a particular part of the country apply?—The prohibition was directed to the formation of a missionary settlement in one particular place.

2678. Mr. *Gordon*.] What reasons were assigned for it?—I believe it was stated that the difficulties would be too great in governing the people there, and also that the people might settle lower down towards the colony of Red River instead of settling so high up on the Assiniboine River; but there was a desire on the part of the people at Portage-la-Prairie, on account of the timber, to form a settlement there. They were also driven up there, I believe, from the upper part of the settlement on account of the floods.

2679. Are we to understand that the prohibition was only to a missionary going and settling there, or to the people collecting there?—To the people collecting as well as to missionaries going.

2680. Was that opposition persevered in?—Continuously, for several years; I believe it has only recently been abolished.

2681. How has it been at last overcome?—By the continued perseverance of the missionaries, and by the perseverance of the people there, who turned out, determined at all risks to form a missionary station; and also, I believe, by the Indians having gathered around them, and expressed a desire, in common with the settlers, that a missionary should be appointed to that locality.

2682. Did you ever know of any objection being made to the formation of a missionary station or settlement in any other portion of the territory?—We considered that there were measures taken which were equivalent to a prohibition in reference to our own station.

2683. What is your own station?—It is called Headingly on the Assiniboine River, about 12 miles from the seat of Government.

2684. What measures were taken of a prohibitory nature in regard to that?—Immediately after I had begun building a little cottage (for we have to begin with a tent, then a cottage, and then a little chapel), and had settled down, and the people had manifested a disposition to gather round me, the Hudson's Bay Company raised the terms upon which the settlers could have lands. The original terms were that each settler should pay down 2 £. before he could set his foot upon a lot of land; and at the time of which I speak the Hudson's Bay Company raised the terms up to 12 £.; so that no settler could legally settle down upon a lot of land without going down to the agent of the Hudson's Bay Company, at the Fort, and paying 12 £.

2685. Was this a sum in addition to the price of the land?—No; those were the terms upon which they could have it; a sort of deposit or pledge. A  
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council of my own people was formed on account of this, wishing me to represent this grievance to the Hudson's Bay Company's officer. Accordingly, I sought an interview with the agent at Upper Fort Garry, Mr. Black, who very kindly received me, and talked over the matter, and promised to represent it to the authorities in London, but could not promise me any redress. I also represented it to the bishop, because it was the wish of the people that I should do so. The bishop said that the difficulties could not have been foreseen, but that he would represent it in other quarters also. Since the bishop's arrival in England I have asked his Lordship whether any change has taken place for the better; and he says that it is rather for the worse, because now the people have to pay down 15*l.* instead of 12*l.* in my own immediate district. Therefore perhaps had not this Committee been sitting, I should have felt a desire, before returning to the country, to have sought an interview with the Colonial Secretary, for the purpose of having some change introduced; because we have appealed to the authorities in the country, and have had no change whatsoever introduced in my own district.

2686. That deposit which you have spoken of; you think acts as a quasi prohibition to settlement?—Yes: the raising of the terms for the lands; and it also makes the people indignant, because many of them say, "We were the original proprietors of the soil, and now that we wish to settle down and form a settlement (and here is a missionary who has come all the way from England), the terms are raised so that we cannot pay them; we have not the means of paying them."

2687. You have mentioned two cases in which obstructions were, as you think, made by the Company to the formation of a settlement; can you give us any other instances within your own knowledge?—I can mention other instances; and I can also, with reference to this subject, give an extract from a letter which I received recently from a missionary at the Red River Settlement, who says: "Sir George Simpson expressed his displeasure at Archdeacon Cochrane's proceedings at the Portage-la-Prairie, and required that he withdraw and the place be left vacant; to which the archdeacon replied, 'I wonder Sir George Simpson does not know me better'; he thought to send me from the Grand Rapids, then to put me out of the Indian settlement; and does he think I am now going to quit the portage? I am surprised that he has not learnt better by this time.'" I have the original of this letter with me, if the Chairman should like to see it.

2688. Mr. *Edward Ellice*.] Who is the writer of that letter; is it Archdeacon Cochrane?—This was written to me by a missionary upon the Red River.

2689. From whom is the letter; it is not from Archdeacon Cochrane?—No.

2690. It is from a friend of yours?—It is from a missionary in the Red River Settlement.

2691. Mr. *Roebuck*.] Have you any objection to state his name?—I have not; he is the Rev. Mr. Taylor, the agent of the Propagation Society.

2692. Mr. *Gordon*.] Have you known any other case in which the missionaries either have been, or have thought they have been, desired by the Company's officers to quit the post at which they were labouring?—There was Fort Alexander, to which objections were raised in the very same manner.

2693. Where is Fort Alexander?—It is near Lake Winnipeg; concerning that I can read an extract from the same gentleman, who has written to me as follows: "Sir George Simpson has given permission now to occupy Fort Alexander; to that place I suppose Mr. G. (a missionary), will eventually be appointed; but strange to say, he was to confine himself to the fort, not to civilise and evangelise the heathen; not to form a locality or permanent dwelling for the Indians." There is, however, no missionary there, I believe, at the present time.

2694. Have you ever heard that the authorities of the Company have expressed their opinion that it would be better if the missionaries would give up their efforts there?—We have heard them state that if missionaries and missionary settlements increase, chief factors and fur trading posts must decrease.

2695. Mr. *Loare*.] Whom are you speaking of when you say "them"?—The agents of the Company.

2696. What agents, and where?—In the neighbourhood of Red River.

2697. What are their names?—I should prefer not mentioning the names.

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2698. Will you tell us under what circumstances it was mentioned; was it an official communication, or how was it made?—There are several instances; it was mentioned on one occasion when some of the agents of the Company and some of the clergymen were gathered together discussing these things.

2699. In the course of conversation?—Yes.

2700. Lord Stanley.] It was a casual remark named by one person in a conversation?—Not a casual remark; it was a discussion as to how the system of the Hudson's Bay Company acts in the country.

2701. Mr. Lowe.] This gentleman stated it as his opinion in conversation?—Yes.

2702. Mr. Roebuck.] And was the conduct of the Company in accordance with that opinion so given?—The conduct of the Company, or the system of the Company as such, is exactly in accordance with it.

2703. Mr. Grogan.] You mention this as having been a conversation among some clergymen and gentlemen assembled; did they concur in the view which was so expressed to them; did they throw any doubt upon the statement at all?—Not the slightest.

2704. Mr. Gordon.] Were you ever informed by any missionary there that he had been desired to quit the country, and that on his request that the person so desiring him would put that desire into writing, the request had been declined?—I have heard Archdeacon Cochrane state that.

2705. Mr. Lowe.] Of himself?—Of himself; that when he was going on building the church at the Grand Rapids, which is now the chief district in the Red River Settlement, so great was the excitement occasioned by the intimidations of Sir George Simpson that for eight months no settler or native seemed to possess sufficient courage to lift an axe or hoe to proceed with the building, and that he was in the greatest possible trouble under the circumstances; that Sir George Simpson eventually went to him, and told him that he had better leave the country than build that church; that he then said, "Will you put it upon paper, and I will go to England if you will?" and that Sir George declined putting it upon paper.

2706. Archdeacon Cochrane stated this to you, I understand?—He stated this to me upon the occasion of the raising of the terms of taking the land to obstruct my own district; he said, "I rarely do any good in this country without having an opposition; but we have tried in the lower part of the settlement, therefore go forward." He stated this to me to encourage me.

2707. Where?—At my own station.

2708. When?—Perhaps in 1853 or 1854.

2709. Was any one else present?—I am not sure, but still his observations were well understood in the settlement.

2710. Is the archdeacon in England?—No.

2711. Mr. Edward Ellice.] He is at Red River, is not he?—Yes.

2712. Mr. Gordon.] What is the physical character of the country?—It is very good for agricultural operations.

2713. How far from the banks of the river, in your opinion, might agricultural operations be profitably extended?—For a very great distance.

2714. More than a mile from the banks?—I have heard Mr. McDermott, who is perhaps the greatest merchant on the banks of the Red River, say, again and again, that he is quite surprised that the authorities in England do not extend the route *via* Lake Superior, and open up a grand overland route, and form a great nation, from Lake Superior right across the Rocky Mountains; that it could be done, and that he is surprised that towns and cities have not been raised up.

2715. Is there timber or coal in the neighbourhood of your station?—There is a great deal of coal towards the source of the Assiniboine river.

2716. How far from your station?—Two hundred or three hundred miles; which coal might be brought down the river, and which it would be very desirable to work, because timber in those parts of the country is scarce; the timber might be used for building purposes and the coal for fuel.

2717. I suppose that that 500 miles is a very interrupted navigation?—The Hudson's Bay Company bring their furs and peltries all down the same river in large bateaux.

2718. Mr. Bell.] Is that coal on the American side of the frontier or on the British side?—On the British side, I believe.

2719. Mr.

2719. Mr. Gordon.] Do the people in your district find a sufficient market at the Company's stores for the produce which they raise?—By no means. Rev. G. O. Corbett.

2720. Is there a quantity of surplus produce?—There is not a great quantity, because they say, "If we raise it we cannot sell it." Consequently we cannot depend upon them for our supplies; therefore a good deal of our time is obliged to be directed to agricultural pursuits, which time might be devoted to educational pursuits if the people were sufficiently encouraged in raising their grain. 5 March 1857.

2721. It is your opinion, that if there were a sufficient market, even with the present population, agricultural pursuits might be profitably followed to a much larger extent?—Yes, to an almost unlimited extent, up to a certain line of latitude in the north, and still further north I believe as we advance to the western part of the continent.

2722. Mr. Grogan.] What latitude are you referring to?—Perhaps four degrees or five degrees north of the boundary line, beginning at 87 degrees west longitude, about two or three degrees north of the line, and widening up to five degrees in advancing as far as 127 degrees west longitude.

2723. Mr. Charles Fitzwilliam.] Will you tell us what the nature of the soil is about Red River; you say there is a large extent of country there which could be cultivated with advantage; what sort of country is it?—The soil is alluvial; they cultivate the soil without manuring it; they sow it for 12 and 14 years together, and produce for four quarts, 12 bushels of wheat, 65 or 70 lbs. to the bushel, which I am told by the farmers of England really exceeds the returns in many parts of Great Britain.

2724. You say that there is a large extent of country about Red River which is capable of cultivation; is there water in that country?—Yes.

2725. There are streams running to the Red River?—Yes; fine streams.

2726. Are those streams timbered streams, or is there no wood?—There is a fair quantity of wood along the rivers.

2727. What timber is it?—There are oak, elm, birch, pine, and white-wood.

2728. What is white-wood?—It is something like poplar.

2729. What are the other natural vegetable productions of the country; what is the nature of the grass?—Timothy grass grows, I think, and other kinds.

2730. Is it a country which will naturally support cattle?—Yes.

2731. Hay can be cut?—Yes.

2732. Cattle can live there in the winter?—Yes. They have only to cut their hay; they have not to make it by turning it over, and so on, but have simply to cut it down and let it remain one or two days, and then go and collect it in.

2733. Is it necessary to house cattle in the winter?—No, not the whole of the time. They house them at night, but not by day.

2734. We have heard something of the floods in that country, are they of frequent occurrence?—A flood had occurred previously to my arrival; but, I believe they rarely take place. I think there have been only two or three floods there since I have had any knowledge of the country. Since the formation of Red River Settlement, there have been only one or two floods.

2735. Of course the floods occur in the spring time?—Yes.

2736. Has there been any extraordinary fall of snow in the winter when there has been a flood?—I believe that has not been generally noticed; they cannot attribute the cause solely to the larger quantity of snow; sometimes it has been stated to be the case.

2737. Mr. Gordon.] Do not large numbers of the settlers and half-breeds go to St. Paul's for their supplies, instead of getting goods out, *via* Hudson's Bay, by the Company's ships?—Yes.

2738. What is the cause of that?—The dissatisfaction which they feel at present with the Hudson's Bay Company's system.

2739. But why should that dissatisfaction make them seek their supplies at St. Paul's?—Because they cannot get supplies at a reasonable rate by the Hudson's Bay route.

2740. Why?—They have again and again asked the Hudson's Bay Company, as far as I have been given to understand by the settlers themselves, to improve the inland communication up to York Factory by Lake Winnipeg. The interruptions only cover a distance of about 400 miles; the other 400 miles might be navigated by a little steamboat, over Lake Winnipeg, which is

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a lake 300 miles in length. They have again and again told me that they have asked the Hudson's Bay Company to improve the inland communication. They have expressed a willingness to pay a small tax to the Hudson's Bay Company for so doing, but the Hudson's Bay Company have not done so. One attempt I believe was made by them at one time to some extent, because the people became so very clamorous upon the subject, but they failed in carrying the thing out to completion; and the people now say, "We cannot ask for any further improvement; we will go down to the United States of America and get up our things." Hence, perhaps, 200 carts and men, and horses and oxen, are united together, and formed into a large party; they cross the plains and they travel not much less than 1,400 miles backwards and forwards, and expose themselves to great danger and peril, in order to get their supplies at a reasonable rate in Red River Settlement. I came over with a party numbering 200 carts altogether.

2741. Mr. *Edward Ellice*.] That is, from St. Paul's:—To St. Paul's, from Red River.

2742. Mr. *Gordon*.] You have stated that the settlers have made representations, and petitioned for an improvement in the communication between York Factory and Red River: have they ever done so with regard to Lake Superior; do they think it possible to improve that route?—There is no interruption all the way from Red River to the north-western boundary on Lake Winnipeg; it is all clear open water; so that the Hudson's Bay Company might at this very hour have steamboats, or better means of conveying supplies up from that lake into the Red River, and the goods might be taken from York Factory to the entrance of the lake.

2743. Have you travelled that country?—No, I have not travelled on the lake.

2744. Surely there is evidence that that route is very much interrupted by rapids and other obstructions?—Not the whole route, only a part of it.

2745. What makes you give so decided an opinion as that?—From constant intercourse with the people upon this very subject, because it has become a matter of public debate in the country.

2746. What route would that follow; not that, I suppose, from Lake Winnipeg down the rivers; I am speaking of the route by Lake Superior: I understood you to say that there was no difficulty in that route, which rather surprised me:—I meant the other route; but as to the difficulties between Red River and Lake Superior, I am told that they are by no means insurmountable. I have recently had a letter from a gentleman on the banks of Red River, who has conversed with a retired chief factor of the Hudson's Bay Company upon the subject.

2747. Do you obtain with ease supplies for the use of your station from the forts of the Company?—Even if the Company were willing to furnish us with our supplies (and we are not sure of that) we could not get a sufficient quantity. For example, in the article of tea there is not always a sufficient stock kept in the country. I have a letter in my hands, in which the gentleman says, "You will imagine the panic we are all in at the probability of there not being a ship; the real or supposed straits we shall all be in; and the plans proposed for a partial supply of the wants and necessities of this singularly situated people, dependent on one ship. Oh the casualty, the risk, the uncertainty!—but so it is. Pray God for us, that we may not this year feel the sad experience of so serious a state of things consequent on such inadequate means of supply. But it looks gloomy at present; everything is out; all the stores are bare, and were it not for what the importers from the States brought in, there would now be little or nothing for the people's use."

2748. Mr. *Edward Ellice*.] What is the date of that letter?—September the 24th, 1855.

2749. Mr. *Lowe*.] Do you object to give the name of the gentleman who wrote it?—The same gentleman.

2750. The Rev. Mr. Taylor?—Yes.

2751. Mr. *Gordon*.] The Company sell goods to you, do they not?—Yes, some things.

2752. Is there a regular tariff at their forts by which you know the fixed price for goods coming from Europe?—The agent at the fort tells us that he has not a fixed tariff himself, therefore we cannot get it. There are certain things

things which are fixed; for example, for salt we have to pay 1 s. a quart; and for sugar, 1 s. a pound; and for rice, 1 s. a pound; that is fixed. Rev. G. O. Corbett.

2753. Then there is a fixed tariff for some articles, but not for others? 5 March 1857.  
—Yes.

2754. Mr. *Edward Ellice*.] But all those things are also brought in by the community from the States?—Not English salt, that comes from England.

2755. Is there any obstruction to their being brought in?—Recently, since the large caravans have come in from the States, they have imported all they have required.

2756. Is there any obstruction on the part of the Company to the bringing in of those things if the people choose to do so?—I think there is none on the part of the Company in bringing goods in from the United States, with the exception of efforts recently to put on a very heavy import duty.

2757. What import duty?—I have been informed they proposed 10 or 20 per cent.

2758. Do you mean the Hudson's Bay Company?—Yes.

2759. For what purpose was that duty put on?—I think ostensibly for the improvement of the roads.

2760. As you say ostensibly, have you any reason to suppose that it is turned to any other purpose, whatever the duty may be?—I will just state a circumstance, if you will allow me, which will illustrate the case.

2761. Just answer my question first; you may state the circumstance afterwards. Have you any reason to suppose that that money is appropriated to any other purpose than that for which it is stated to be raised?—I cannot always say how money is appropriated.

2762. Why do you say "ostensibly"?—For this reason, because from Fort Garry, the seat of government, in a southern direction down to the boundary line, there is no improvement of the roads whatever.

2763. Mr. *Roebuck*.] Do they improve the roads?—By no means in that direction; because the settlers with whom I travelled held a council, and they debated whether they would pay the import duty or not, and they said, "The roads are not improved; we are obliged to make our own bridges as we cross; we are obliged to wade across with our carts; we will not pay the import duty." That was the resolution which was passed.

2764. Mr. *Edward Ellice*.] Have you ever heard that the Hudson's Bay Company pay for their own goods to that same ostensible fund, the same duty that is charged upon goods coming in from America?—I think the Hudson's Bay Company get their supplies chiefly from Hudson's Bay.

2765. I ask you whether the Company pay upon their own imports by Hudson's Bay the same duty that they charge upon the imports from the American frontier?—They may do so, but I have had no fact to show it.

2766. Have you ever heard the circumstance of their having done so?—No; they may do so; I have no doubt but what they comply with those rules.

2767. You know that there are rules?—There may be rules; at least the party with whom I travelled said that they would have to pay so much for importing their own supplies.

2768. You said that the Company complied with the rule?—I have not said that they actually did; but that I had no doubt they did.

2769. Have you any reason to believe that the rule applies to the Company as well as to those parties with whom you travelled; do you believe that that rule is a common one?—I am not aware how the Company act with reference to these rules at all.

2770. Do you know that those rules apply to the Company; I am not talking of whether the Company have complied with them or have not?—The rules apply to all parties I should think.

2771. Mr. *Gordon*.] To revert to the subject of the tariff, what price do you pay for cloth; is that one of the articles upon which there is a fixed price?—No, I think not; there is no fixed price on cloth and blankets.

2772. Do you know what sort and number of articles have a fixed price; you mentioned salt and sugar and some other article; are there a great number of articles in common use that have a fixed tariff?—There may be; I have simply sent on some occasion for the tariff, or a statement as to the price of certain articles, but I have not been able to get it.

2773. Mr. *Edward Ellice*.] You stated that 20 per cent. was charged upon goods



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goods coming into the colony; do you state that as a fact within your own knowledge?—I said that it was proposed that 10 or 20 per cent. should be charged. This was probably assumed from the York factory import duty, fixed at 20 per cent. by the Council of Rupert's Land, of 10th June 1845.

2774. Do you know whether 10 per cent. is charged?—The people resolved not to pay the duty, whatever it was; I do not know whether it has been paid since.

2775. Do you know whether 10 per cent. is charged upon goods coming in from States?—I am not sure, because the people with whom I travelled held a council when they got to the boundary line, a small river; they said, "We are upon the boundary, shall we pay upon returning or not?" They said, "We will not pay because there are no roads improved."

2776. Do you know that that which they debated about and refused to pay was 10 per cent?—It was 10 or 20.

2777. Are you sure?—I have no doubt of it.

2778. Mr. Roebuck.] Was there a demand of any payment made by any officer on that occasion? when you were crossing the boundary and came to that resolution, was that resolution put to the test by a demand on the part of any authority?—It was made public, and doubtless became known to the Company's officers.

2779. Was any demand made by the authorities of the Hudson's Bay Company for any duty upon your imports?—I went down with that party and did not return with them, so that I do not know.

2780. Mr. Loise.] Where is the duty paid?—I suppose at Fort Garry.

2781. Mr. Roebuck.] Did they make this arrangement upon leaving the province?—Fort Garry is situated a degree north of the boundary line, and it was after we had passed out of the settlement, or when we had reached the boundary line; that they held a council and said, "Shall we, when we are going back again, pay, or shall we not?" and they said, "No, we will not;" whether they did or did not I cannot say, because I have not been in the country since.

2782. They made that resolution, then, upon leaving the territory?—Yes.

2783. Mr. Edward Ellice.] Are you sure that you are not confusing the export duty with the import duty, or rather that you are not confusing the import duty into the States with the import duty into Red River?—I am speaking now about the payment levied upon goods imported from America into Red River; and I have been since informed that 4 per cent. was paid on the return of the party from the States.

2784. Mr. Gordon.] How do you settle your accounts with the Company for goods?—Formerly we used to settle them annually; recently we have done so half-yearly, by a bill of exchange.

2785. Do the Company charge any per-centage upon the bills of exchange?—Just before leaving the country I believe 10 per cent. was proposed.

2786. You say "proposed," and I observe that you have several times used that word; what do you mean by "proposed"?—It was a proposition made when the Governor-in-Chief visited the colony.

2787. Made to whom?—To the Council which he meets at the Red River colony, as I understood.

2788. Mr. Edward Ellice.] Did the Council adopt the proposition?—Five per cent. was paid; the 10 per cent. was tried as a kind of feeler for the public. There was a feeling of indignation against it, and five per cent. was I believe ultimately paid; but there was so much opposition, even against the five per cent., that I am not sure but that the five per cent. has been practically nullified, however much the rule may remain in force by the bills being sent through another channel.

2789. Mr. Gordon.] That is a profit to the Company?—Yes.

2790. Then if I understand that system rightly, as it comes before us in the Evidence, the Company first get a profit by selling the goods to you, and then a further profit by the bills which you give them in payment?—Yes.

2791. How is the post carried on?—There is a monthly mail, which has been established by the United States Government; the people became tired of the yearly mail, and the American Government made an appropriation, and despatched a mail up to the highest post in the Minnesota territory, Pembina, and some of the intelligent portion of the laymen and clergy of the Red River people met together, formed a little committee, and that committee resulted in

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the formation of a little post-office at Red River; by means of that little post-office the letters are sent from Red River to Pembina to meet the American mail, and in that way letters go to and fro. In the recent letter which I received from Red River the gentleman seemed to rejoice in the fact that they were soon to have a letter-bag and a stamp, by which letters would be stamped, and would be sent backwards and forwards in a leather bag.

2792. You say that the mail is sent up by the American Government to the American post; is there an American post at Pembina?—Yes.

2793. Is Pembina within the American frontier?—Yes.

2794. Is it occupied now?—Yes.

2795. By whom?—By the Americans.

2796. By American settlers?—They have a fur trading post, a fort, and also a little settlement there; there is also a garrison there.

2797. Mr. *Edward Ellice*.] That fort is not occupied in winter, is it?—It is occupied all the year round; I camped there myself; I slept there two or three nights.

2798. Mr. *Charles Fitzwilliam*.] Is it a military post?—There are a garrison and a fur post, and a settlement of Indians and half-breeds there. I believe some of them have gone over the frontier from Red River.

2799. Mr. *Gordon*.] How far is Pembina from Red River?—Seventy or eighty miles from the seat of Government.

2800. But from the boundary line?—It is as close as possible to the boundary line.

2801. Do you know whether any facilities for settlement are afforded near the frontier by the United States at the present time?—I believe they are giving every facility. When I came down I found gentlemen from America up as far as Otter-tail Lake-making claims, and thence as far up as Pembina.

2802. Where is that?—I suppose it is 150 miles at least to the north of St. Paul's; it is a lake well marked upon the map, I think.

2803. Mr. *Charles Fitzwilliam*.] Is it another St. Peter's, or on the Mississippi?—It empties its waters into the Red River, I believe.

2804. Mr. *Lowc*.] Is it one of the head waters of the Red River?—Yes, one of the sources.

2805. Mr. *Gordon*.] Have you, during your stay at the Red River, known parties of settlers, with whom you were personally acquainted, leave the Red River for the United States or elsewhere, from dissatisfaction with the Government?—I met with a gentleman at St. Paul, Mr. Doll, a stationer and bookseller at St. Paul, who has a flourishing business, and he told me that, from the inconveniences which he had found at the Red River Settlement, and the discouragements thrown in his way, he had left; but he is now doing well at St. Paul; other parties also have left.

2806. To your own knowledge?—Yes.

2807. Mr. *Edward Ellice*.] What had Mr. Doll been at the Red River?—I believe a portion of the time he had been in the Hudson's Bay Company's service.

2808. What was the discouragement which he met with?—The usual discouragements experienced by people in the colony.

2809. Mr. *Gordon*.] What are they?—The difficulties they have of getting their goods; the difficulty of getting representations from the colony, &c. &c.

2810. Mr. *Edward Ellice*.] What do you call "representations from the colony"?—The people think that they ought to have a voice in representing their grievances; that, in short, there should be a representative government in the colony.

*Lunæ, 9<sup>o</sup> die Martii, 1857.*

## MEMBERS PRESENT.

Mr. Bell.  
Mr. Blackburn.  
Mr. Edward Ellice.  
Mr. Charles Fitzwilliam.  
Mr. Gordon.  
Mr. Gregson.  
Mr. Grogan.

Mr. Percy Herbert.  
Mr. Kinnaid.  
Mr. Labouchere.  
Sir John Pakington.  
Lord John Russell.  
Viscount Sandon.  
Lord Stanley.

THE RIGHT HON. HENRY LABOUCHERE, IN THE CHAIR.

The Rev. *Griffith Owen Corbett*, called in; and further Examined.

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2811. Mr. Gordon.] HAVE you ever travelled in company with the American fur traders?—Yes.

2812. For any considerable distance?—For upwards of 1,000 miles.

2813. Near the frontier?—Yes.

2814. Had you any opportunities of observing their manner of trading in furs?—I had opportunities obtained from tenting with them night after night, and camping near their forts on the western route from Minesota up to Red River, and on the eastern route from Red River down to Crow Wing.

2815. Mr. *Edward Ellice*.] That is in the American territory?—Yes.

2816. Mr. *Gordon*.] Did you ever see them engaged in trading for the furs?—Not a great deal.

2817. Did you ever see them make use of spirits as a means of barter for furs?—No; I never saw any spirits among any of them.

2818. Have you reason then to believe that spirits are not used by them as a means of barter?—I never saw a drop of spirits in any of their camps or tents, but I have heard the Honourable N. W. Kitson, the representative of Minesota, remonstrate against the use of spirits as used on the northern side of the boundary line.

2819. Mr. *Edward Ellice*.] Whom did he remonstrate with?—He has remonstrated in the presence of the camp.

2820. But with whom?—I cannot say that he has remonstrated with any individual in particular; but he has expressed himself in very indignant terms in my presence.

2821. Mr. *Gordon*.] Whom did he remonstrate against?—Against the Hudson's Bay Company's fur traders.

2822. Mr. *Edward Ellice*.] How did the remonstrance arise?—He spoke of the increasingly large quantity, as he represented it, of rum which was employed amongst the Indians, and he spoke of the demoralising effects.

2823. Where?—On the frontier.

2824. Mr. *Gordon*.] Has anything ever come under your own personal inspection of the demoralising effects of ardent spirits on the Indians?—Yes.

2825. Mr. *Edward Ellice*.] Who is that Mr. Kitson that you spoke of?—He is, I believe, the representative for the Minesota territory.

2826. Is he not a trader on the frontier in opposition to the Hudson's Bay Company?—I cannot say that he is engaged in opposition to the Hudson's Bay Company.

2827. Do you know that he is not?—I do not think that he is a fur trader in opposition to the Company.

2828. Do you not know that Mr. Kitson is a trader in competition with the Company?—He is a trader, I believe, in the Minesota territory, in connexion with the fur-trading Company in that country.

2829. Is Mr. Kitson at Red River as well as in the American territory?—He does not reside at Red River, I believe.

2830. Do

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2830. Do you know whether he frequents Red River?—He visits Red River backwards and forwards, I believe, as often as he accompanies the mail up from Minnesota towards Red River.

2831. Have you not reason to believe that Mr. Kitson is a trader in competition with the Hudson's Bay Company, not only in the American territory but in the territory as far north as Red River?—Not on the British side. I do not think it at all.

2832. Do you know what his occupation at Red River is when he is there?—The most, I believe, that I have heard respecting his visits at Red River is —

2833. Just answer the question; do you know what his business is when he goes so frequently to Red River; why does he go there?—I believe that he has relatives at Red River, and that he visits those relatives; and he takes an interest in forwarding goods, and letters, and mails up to Red River, and visits Red River; and the people of Red River take an interest in all his visits as a consequence.

2834. Do not you know that he trades there?—He may privately enter into arrangements for that, but I have no fact before me to prove it.

2835. Mr. Gordon.] Do you believe that he trades in furs there?—I do not believe that he trades in furs on the British territory.

2836. Have you seen any instances of the use or abuse of spirituous liquors in dealings for furs by the agents of the Company?—I have seen Indians intoxicated within the gates of the Upper Fort Garry.

2837. What reason have you to suppose that that liquor came from the Company?—It must have come from the fort; there is no other source for it within the immediate vicinity of the fort; and I have seen Indians in their encampments, in the neighbourhood of the fort, in a state of intoxication, and so wild that I myself have ridden out of my way to be secure in travelling.

2838. Mr. Edward Ellice.] Where?—In the neighbourhood of Fort Garry.

2839. Were you encamped there?—No; I have passed by them.

2840. Mr. Gordon.] Could not they have procured those spirits from the settlers?—They may have obtained a little from some of them; and very likely some of the settlers use rum as well as the Company.

2841. Mr. Edward Ellice.] There are grog-shops there, are there not?—Not that I am aware of.

2842. Not in Red River?—Not in Red River.

2843. Do you know Mr. Philip Kennedy?—Yes.

2844. Does not he keep a grog-shop?—He never did when I was at the Rapids, and I resided close to his residence; there was no grog-shop there then, nor the slightest appearance of grog. I have seen Indians intoxicated in my own district; there was a case that happened in my own district.

2845. Mr. Gordon.] Is it within your personal knowledge?—Yes. I had left my own station, and after returning to it, I found that a woman and children had left their cottage, and taken refuge underneath our own roof. I inquired the reason of it, and they told me that it was because they had been excluded from their own dwelling. I then went to the husband, and inquired the cause of it, and he said the cause was this, that the Indians and half-breeds, on returning from the fort of the Company, at Fort Garry, after having taken down their furs, sought admission into his warm room to warm themselves; and after staying to warm themselves a little they then began to hand round the rum.

2846. Mr. Edward Ellice.] Who did?—The Indians and half-breeds inside this cottage; and after drinking the rum for some time they came to high words, and from high words they came to blows, and a regular fight took place; and so dreadful was this fight that the man said he did not know what to do to get them out of the house: the thought struck him that he would pull down the stove piping and stove; and he set to work, and pulled down the stove piping and stove; and in consequence the room was so completely filled with ashes and smoke that all the Indians and the half-breeds, his wife, and family, ran out into the air.

2847. Mr. Gordon.] What reason have you to suppose that those spirits were procured from the Company's agents?—The statement of the man was, that they had taken down their furs and had returned with rum, as well as other

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things; as to the man, he in consequence of that dispute and fight is at variance with an individual a little distance from where he resides in the neighbourhood.

2848. Have you a school in your district?—Yes.

2849. Is it numerously attended?—It would be numerously attended if we had the means to carry it on, but we have not had the means to carry it forward.

2850. From what causes?—Partly from the inability of the society to afford means, and partly owing to the effects of the war upon the societies.

2851. Is it attended by Indians and half-breeds, or by whites?—My station includes the half-breeds, the settlers, and the Indians; we have a large number of French half-breeds in the neighbourhood.

2852. Do you find the half-breeds anxious for education at your station?—Very anxious.

2853. Mr. *Blackburn*.] I think you mentioned the war as affecting the station; will you be good enough to say what you meant by the effect of the war upon the station, on account of which you stated that you could not get more children to the school?—I referred to the effects of the late war in the Crimea upon societies in depressing their funds.

2854. Mr. *Charles Fitzwilliam*.] You have travelled up the Red River, have you not?—Yes.

2855. Are there many small streams running into it on either side?—There are a great many on the western route; on the western side of the Red River, and numerous streams on the eastern side.

2856. You have travelled on both sides?—Yes.

2857. How many such streams are there from the mouth of the river at Lake Winnipeg to the boundary line?—I should think there are 20 or 30.

2858. That is in a distance of 60 miles, is it not?—No, there would be more than 60 miles to Winnipeg from the boundary line; I believe that the boundary line is one degree south of Fort Garry, and Fort Garry is on the Red River, about 30 miles from the mouth of Lake Winnipeg.

2859. What is the nature of those streams?—They are not very large; some of the beds are very rocky, and others have beds of clay and gravel.

2860. Are they timbered streams, or is there no timber on the banks?—I saw timber on most of them; there is timber, particularly on the eastern side of the Red River; not so much on the western side.

2861. Is it heavy timber?—Some of it.

2862. So that in the country from Lake Winnipeg to the boundary line there is plenty of wood for the use of settlers?—There is plenty of wood, especially on the eastern side.

2863. But not so much on the western side?—Not so much on the western side, although there is a great deal on the western side.

2864. Have you travelled up the Assiniboine?—I have travelled about 80 miles up the Assiniboine.

2865. What is the furthest point to the west where you have been?—The neighbourhood of Portage-la-Prairie.

2866. Mr. *Grogan*.] Is that midway between Fort Garry and Brandon House?—Yes; it is not far from Fort Pelly, I think; I think Fort Pelly is the nearest fort one meets in advancing westwards; I am not sure.

2867. Mr. *Charles Fitzwilliam*.] Is that a timbered country?—It is very well timbered, I believe; all the way up to Portage-la-Prairie there is a good deal of timber. There is a good deal of timber on the other rivers.

2868. Mr. *Edward Ellice*.] Were you ever at Fort Pelly?—I have been as near it as Portage-la-Prairie.

2869. Mr. *Charles Fitzwilliam*.] You think that all this is a country with sufficient wood for the use of settlers?—I think so, and the land is also good; hence luxuriant vegetation, which, when dry, forms fuel for the great burning prairies. I have a picture here of burning prairies on the Assiniboine River.

2870. Mr. *Edward Ellice*.] Do not you know that Fort Pelly is 250 miles, and Portage-la-Prairie only 60 miles from Red River?—It may be as far as that, but I believe that Fort Pelly is the nearest fort to that neighbourhood in the western direction.

2871. Mr. *Charles Fitzwilliam*.] Are there frequent fires on those prairies?—Yes; for three weeks together.

2872. Do

2872. Do you think that that is the reason why there is so little wood in the country?—One reason. Rev. G. O. Corbett.

2873. If the fires were stopped would it spring up?—Yes. I travelled through a forest which took us six days to travel through, and a great portion of that forest was on fire; many of the young trees were damaged and dying, and many of the other fine trees in the forest were on fire; I travelled over 600 miles of burnt prairie. 9 March 1857.

2874. Where was that?—From the British side down into Minnesota.

2875. Mr. Grogan.] You resided for three years in and about the Red River Settlement?—Yes.

2875\*. What facility had you for transmitting your letters from that settlement?—At the early stages, I believe, of my residing in the neighbourhood of Red River, I had to avail myself of the half-yearly communications through the Hudson's Bay Company's territories.

2876. How did they go?—They went I believe from fort to fort through the Hudson's Bay Company's territory; once a year, I believe, the custom was to send letters from Red River to York Factory and thence to England by the ship; the other route was *via* Lake Superior, twice a year. Since the Americans have been approaching towards the borders, and the Government of America has been affording facilities for the transmission of settlers and letters and those kind of things, we have sent our letters through America down by Crow Wing to St. Paul and thence to England.

2877. You have sent your letters as far as Pembina, where you join the American post?—Yes.

2878. In regard to the Lake Superior district, how often were the letters or despatches sent on that route?—I believe half-yearly was the rule.

2879. Are you speaking of a matter within your own knowledge?—I believe it existed when I arrived; I am not sure that it does not exist at the present time; the annual communication of course exists at the present time *via* the ship.

2880. An observation has been made in this Committee that letters written at the Red River Settlement were examined or inspected by the authorities there. Does that come within your knowledge?—It has not come within my knowledge, but I have heard settlers again and again say that they have been afraid to send their letters; that they have therefore been the more anxious to see the other route opened up so that they might send their letters without the possibility of inspection.

2881. Do you mean to say that they were afraid of their letters being inspected by the authorities before they were dispatched?—They were afraid of it.

2882. Mr. Edward Ellice.] Will you tell us the names of any settlers who have expressed to you those fears?—I prefer not doing so; they are in the territory.

2883. Chairman.] Are you able to adduce any evidence to substantiate the grave charge which you have made in your previous answer?—The charge has not been brought forward by me; but rests entirely on the evidence to which the Honourable Member's question refers (a). I could mention the names of the parties, but I should prefer not doing so, because they would say at once that they should have no market for their goods in the country. They would not be tolerated in freedom in the country if their names were known. There was one settler in particular who wished me to bring a letter to England to represent his case; but he said, "If I allow you to take that letter I shall not be able to sell my bushels of wheat, and I shall not be able to get clothing for my poor children." So that that is the reason. I could not mention the names.

2884. Mr. Edward Ellice.) Have you that letter in your possession?—No.

2885. If you are not prepared to substantiate that allegation will you withdraw it?—I simply express my impression from what has been said in the country; that is all that I can say upon the subject. I repeat, the charge has not been adduced by me.

2886. Had you ever any fear yourself of your letters being opened?—I really

(a) See Question 1895 in Sir George Simpson's Evidence. Letter of Mr. R. Lane.

Rev. G. O. Corbett, really have had such fear that I obtained a special stamp for my own letters.

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2887. What do you call "a special stamp"?—One with my own initials, &c.

2888. *Chairman.*] Has any case ever come to your knowledge in which it was clearly proved that a letter had been thus opened?—No.

*Sir John Richardson, C.B., called in; and Examined.*

*Sir J. Richardson,  
C. B.*

2889. *Chairman.*] WHAT opportunities have you had of becoming acquainted with that portion of British North America which is under the administration of the Hudson's Bay Company?—I have made three several journeys through it, and have resided altogether in the country about seven years during those journeys.

2890. Have you only known it in your capacity as a traveller?—In no other capacity.

2891. Have you never been connected with the Hudson's Bay Company in any manner?—In no manner as a servant, or paid in any way by the Hudson's Bay Company; I had some share in the Hudson's Bay stock at one time, which is now transferred.

2892. You are not a proprietor at this moment?—I am not a proprietor, although I have a life interest in a few shares.

2893. Under what circumstances were the journeys that you allude to undertaken?—I went out first in 1819 with Sir John Franklin, and we travelled from York Factory to Lake Winnipeg, and from thence to Great Slave Lake, and down the Copper Mine River to the Arctic Sea, and then back again by nearly the same route; that was the first journey, which occupied three and a half years.

2894. What was the second journey?—The second journey was in 1825; I went out by the way of New York, and travelled by Montreal, Lake Huron, Lake Superior, Fort William, Winnipeg, Churchill River, Athabasca, Great Slave Lake, and on to Great Bear Lake, upon the Mackenzie. Then I descended the Mackenzie River and travelled to the eastward along the coast to the Copper Mine River, which I ascended, and came back to Great Bear Lake. I returned homewards by the same route, except that I diverged at Isle à la Crosse over the prairies to Carlton House, and descended the Saskatchewan from thence to Cumberland House.

2895. *Mr. Edward Ellice.*] How long did that occupy?—I was two and a half years in the country upon that occasion.

2896. *Chairman.*] Will you describe your third journey?—The third journey was in 1848 and 1849; I went out to search the coast for Sir John Franklin; I made very nearly the same journey that I did upon the second occasion, only the route through the United States was different.

2897. Were you ever on the west side of the Rocky Mountains?—I have never been on the west side of the Rocky Mountains.

2898. Will you have the goodness to state to the Committee any general opinion which you have formed of the capabilities of any considerable portion of the country which you have traversed, for the purposes of settlement and colonisation?—With regard to the production of cereals, wheat may be grown up to the 58th parallel of latitude, in favourable places, but only in parts.

2899. *Mr. Edward Ellice.*] Probably you will tell us the general aspect of the territory, taking it as a whole. It has been stated here that it is divided into three distinct divisions?—In giving a general idea of so extensive a country, I should take the Rocky Mountain chain as a nucleus of the description. Its peaks rise from 12,000 to 15,000 feet above the level of the sea; on the eastward it has an inclined base of about 150 miles wide, composed of sandstone, and lying 8,000 feet above the sea; then there is a sloping prairie land from 600 to 800 miles wide, called rolling prairie, on which there are some bluffs but no peaks and no hills of any note; that is mostly grass land; then there is a tract of rocky country, extremely uneven, but not rising very high, about 200 miles wide, bounding a chain of lakes which separates it generally from the prairie land, although there is a little woody country intervening between these lakes and the prairie; then there is a very uneven country of equal width descending to Hudson's Bay, partly limestone; all that 200 miles wide tract.

tract is composed of granite, and is totally unfit for cultivation, except a very few spots where there is some little alluvial soil collected.

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2900. Mr. *Grogan*.] Is that the district of the Great Lakes?—The district of the Great Lakes runs about south-west from the mouth of the St. Lawrence, and does not interfere with it; the district of which I have been speaking is separated from that of the Great Lakes by an elevated rocky ridge, not nearly so high as the Rocky Mountains, but by a ridge in which the pass over which the Hudson's Bay Company travel to the north, and which, I suppose to be well chosen, is 820 feet above the level of Lake Superior, which itself is about 640 feet above the sea; the pass is probably about 1,460 feet altogether above the level of the sea. The summit of the watershed at Thousand Islands Lake is 40 or 50 miles from Lake Superior in a direct line, and the much longer and circuitous canoe route rises at least 800 feet within the 50 miles.

2901. Mr. *Edward Ellice*.] Is that territory divided; we have had it in evidence that it is divided into the barren grounds, the thickwood, and the prairie country?—The prairie country is grassy, and extends, as I have said, from the inclined base of the Rocky Mountains for 600 or 800 miles to the eastward; next comes the wooded limestone country in the middle part of the Saskatchewan, a very flat country, in which the stone is very near the surface, and there is very little soil. In fact, in some parts there is almost no soil; in others there is a considerable quantity of marshy alluvial soil collected upon the banks of the river, flooded almost every spring; indeed I have seen the whole country almost under water for many miles on each side of the Saskatchewan. Then going on northwards, and crossing a very slight elevation of land at the Frog Portage, you enter upon the valley of the Mississippi or Churchill River, which crosses the country from west to east, and flows into Hudson's Bay, a narrow valley; but after crossing the Methy Portage, in about latitude 56 degrees, there is a descent for about 1,200 miles to the Northern Ocean, down which the Mackenzie flows on nearly a north-west course. From latitude 61 degrees, on Hudson's Bay, a little to the north of Churchill Fort, to the north end of Great Bear Lake, in latitude 67 degrees, there is a line beyond which the woods do not extend; the north-eastern corner of the continent contains no wood whatever, and is totally barren; it will not produce grain under any circumstances, nor any kind of vegetable food for man, except lichens.

2902. In those three districts, assuming them to be the barren ground, the thickwood, and the prairie country, will you give us your opinion of the relative capability for the settlement or abode of Europeans?—If, under the name of "settlement," is meant the means of subsistence simply, I think that a considerable population might subsist as high as Peace River upon the alluvial points and the skirts of the prairie land, but if it is to be a productive or progressive colony, I think that there are no means, and that there are not likely to be any means of producing a flourishing colony without some market or some conveyance for the grain; they would only raise grain enough to support themselves, but could not export grain without better roads than exist at present; a railroad from Canada, if such a thing could be constructed, might offer an outlet, but until the settlement of Canada has advanced close to the Red River, I do not think that any wise settler would go beyond that place, there being so much better land much nearer the market to be had at a very moderate rate.

2903. We hear that the limestone prevails in a considerable part of that prairie country and also to the northward of Lake Superior; limestone is generally a fertilizing agent; in that country do you think it can be made so?—The limestone which prevails all along the west bank of Lake Winnipeg, and from thence up to Cumberland House and on to the Rivière Maligne at Beaver Lake, is not a fertile limestone; it contains a large quantity of magnesia, which is generally thought to be very injurious to agriculture; the greater portion of it is magnesian, and very near the surface, a great part of it being quite naked, with no soil at all; and cultivation at Cumberland House, which is a post which has been established for a very long period, has extended in a very small degree; there are only a few fields round that post which have been found productive.

2904. Have you ever travelled by land on the northern shore of Lake Superior between Saut St. Marie and Fort William?—I have been four times along that coast in passing to and from Canada.



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2905. What is the character of the country there?—It is very hilly, very rocky; it is mostly primitive rock; that is to say granite and porphyry with some conglomerates, gneiss, and talcose slates; it is a very hilly country, with deep valleys and very precipitous cliffs.

2906. Is there anything in that country which you think tempting or beneficial to a settler?—There are a few alluvial points at the mouths of the rivers which flow into Lake Superior which would be productive, but the greater part of the country which one sees in passing along Lake Superior is entirely destitute of soil. The fires have spread, and destroyed the trees, and burnt up the soil, so that the naked rock is the most prevailing thing over a great portion of that district. There are some parts which are still covered thickly with wood, but I think the general character of a very large portion of the north shore of Lake Superior is a naked rock, with but little soil, and very rugged.

2907. Proceeding westward from Fort William, what is the character of the country between the west end of Lake Superior and Lake Winnipeg?—The canoe route, which is all that I know, ascends the Dog River, about 50 miles, to Dog Lake; that is a rapid river, with rich woods on each side, and there is some capability of producing grain on the banks of the river; but at Dog Lake the land is elevated; it is 1,300 feet above the sea, and the season is very late; the ice does not break up till the end of May generally. From that the canoe route leads over a rocky country, intersected by very numerous lakes and grassy swamps.

2908. Is there anything in that country which has particular capabilities for a settler?—I saw no spots which would tempt a settler there.

2909. Were you at Rainy Lake?—I passed through Rainy Lake.

2910. What is the character of Rainy Lake?—The banks of Rainy Lake are of a better character; there being more alluvial soil, and many points on which grain might be produced. I cannot speak to any great extent of country away from the canoe route; I only saw it on each side for a few miles. I think that many of the points might produce grain.

2911. You say that you were various times in the Saskatchewan; without going to particular points, taking the general character of the banks of the River Saskatchewan, what are its capabilities as regards settlement?—Of all the lower part below Cumberland House, I think there are only two or three points which would maintain a family of farmers; there is no place which I saw that would maintain a colony of any size. I think three or four farmers might occupy the whole of the points that are productive. I believe that Mr. Leith, who left a sum of money to found a church for the benefit of the natives of that district, and who wished to collect them into a village, found only one spot which was available for that purpose.

2912. That was near Fort Cumberland, was it not?—It was at the Pas, some distance below Fort Cumberland; but the whole of that country about the Pas is intersected by lakes, and in the spring and a great part of the summer it is under water; it is very level. Although the limestone comes near the surface, the country is easily flooded. You may travel almost in any direction, as far as my view extended, with canoes; the spring floods leaving only a few elevated alluvial points upon which the Indians have built their huts.

2913. Passing from the banks of the River Saskatchewan, have you been up into the prairie country for any distance?—Not higher than Carlton House; just upon the verge of the Great Prairie district, and I have travelled from thence to Lac la Crosse across that part of the prairie. The alluvial points of the Saskatchewan there might be productive; they are wooded; and if it were worth while clearing away the wood they would produce grain, but the prairie itself, although fit, probably, for sheep pasture, is not of a soil that I think would be productive for cereal cultivation.

2914. Is that from the nature of the soil or from the shallowness of it?—It is a sufficiently deep soil; it is a sandy soil; it produces grass, but I do not think it is rich enough to produce grain; I have not seen it tried; near the Hudson's Bay posts the traders cultivate the low alluvial points, which contain a rich soil, and they are productive enough.

2915. When you were there what did you hear of the existence of coal in the Saskatchewan?—There is tertiary coal, I am told, in the upper branches of the Saskatchewan, but I did not travel in that route. I had specimens of the coal, which were clearly of a tertiary nature.

2916. Coal

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2916. Coal of a tertiary formation is not very combustible, is it?—It is not used generally. There is coal of the same kind upon the Mackenzie, which is exceedingly disagreeable to burn, owing to the quantity of sulphureous vapours which it emits; and it will not do to work iron; it makes it short; but it has been very little tried as a fuel, as the fur posts are placed in well wooded localities.

2917. What is the character of the wood on the Saskatchewan, up in the prairie land towards the Rocky Mountains, and in that direction; is there much of it?—On the alluvial points, in the narrow valleys of the river and its tributaries there is a good deal of wood; all the alluvial points are covered with wood; but if you go into the prairie there is no wood; there are a few clumps at first, and then one comes into the prairie, in which there is no wood whatever to be seen.

2918. Is that for a great extent?—A great extent, I understand. Wherever a stream crosses the prairie there is generally wood upon the alluvial points; but a man may travel a number of days, as I understand; though I have never travelled that distance myself, without seeing a bit of wood; and the traveller is obliged to burn the dung of the buffalo for fuel.

2919. One of your great objects, I believe, in going out was for scientific observations?—My object in going out the last time was to look for Sir John Franklin's ships.

2920. What was your object previously?—Previously I was attached, as surgeon, to the expeditions. I made the observations as having an opportunity of doing so, but I did not go out solely for that purpose.

2921. Have you made any observations respecting the existence of what is called ground-ice, or permanently frozen soil?—Yes, I made some few observations myself, and at my suggestion the Hudson's Bay Company instituted a pretty extensive series of observations, to ascertain how far the ground-ice corresponded with that in Siberia. The conclusion to which I came was that there is permanently frozen ground almost everywhere near Hudson's Bay north of 56 or 57 degrees of latitude; north of the mean temperature of 32 degrees a portion of the ground is frozen the whole year.

2922. What is the limit of that isothermal line of 32 degrees?—In crossing the American continent it ascends to the north as it goes to the westward; it comes much lower upon the side of Hudson's Bay, and ascends obliquely from Rupert's House, on the 51st parallel of latitude near the bay, crossing Beaver Lake, in latitude 55 degrees, and following the valley of the Mississippi to Isle à la Crosse in latitude 56 degrees; but the mean limit may be considered as 55 degrees. There is permanent ice at York Factory, a very thick bed of it, which is never thawed; south of Fort Chipewyan it runs across to the Rocky Mountains; then, upon the other side of the Rocky Mountains it is deflected again to the south; the lines do not run in parallels of latitude, they run obliquely across.

2923. Has there come under your observation at all the relative degree of frost in the same parallel in the open country and in the wooded country?—In the immediate neighbourhood of trees, where one could observe the difference between an open plain and woods, the thaw always commenced over the roots of the trees first.

2924. But with regard to the frost itself, is the frost less severe where it has the protection of wood or otherwise?—The frost caused by the winter does not penetrate so deep in the woods as it does in the open country; but that is a distinct kind of ice; the permanent ice that I speak of is beyond the reach of the alternation of the seasons; it is the result of the mean temperature, and the thickness to which the frost penetrates in the winter and is thawed in the summer is a distinct thing.

2925. It has been suggested here, that the clearance of wood would mitigate the severity of the climate in these countries. In Canada, or in places which have been cultivated, is the winter frost less severe in the open country than in the wood country?—My observations were not carried on with that view, so as to give a decided opinion with regard to what occurred in that country; but observations elsewhere, in our own country, show that when the wood has been cleared away the climate has deteriorated. In the Orkneys, and in many parts where you cannot get a tree to grow now, there is evidence that at a

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previous period trees grew abundantly; they are found in every bog; the climate has deteriorated; I will not be positive as to the cause.

2926. What was the length of the winter at the different posts, say Fort Franklin, York; Fort Liard and Fort Simpson?—I did not winter at York Factory.

2927. Take any spots which you know?—At Fort Franklin, on the Great Bear Lake, the winter may be said to be ten months, counting from the fall of snow to the disappearance of the ice and the snow again.

2928. What is the difference between the mean annual heats of summer and winter in the same degrees of latitude in Europe and in North America?—As a general answer to that question, I should say that Europe has the advantage over the mean heat of America of nine degrees of latitude; but that answer will not extend across the American continent; upon the west side of the Rocky Mountains, the temperature is greater than to the eastward, so that the mean temperature at Fort Vancouver exceeds the mean temperature at New York in the United States.

2929. That is to say it is milder?—Yes.

2930. *Chairman.*] How is the mean temperature of the western coast of North America, as compared with the mean temperature of Europe in similar latitudes?—The mean temperature on the west coast of America is lower than that of Europe, but higher than that of the east coast of America.

2931. How much lower than that of Europe?—Fort Vancouver probably would be equal to 50 degrees of latitude, that is to say, its mean temperature.

2932. Mr. *Edward Ellice.*] I believe it is a fact that in Europe the vine, for instance, grows in the parallel of 51 degrees?—I believe the northern limit for the profitable cultivation of the vine in Europe is in the valley of the Rhine.

2933. And in America it is at 43 degrees?—In America there is no vine growing naturally beyond 43 degrees.

2934. In a great part of this territory of which you are speaking, the trees in winter are frozen to the heart, are they not?—They are frozen throughout the whole country, more or less in the middle of winter; but upon the Mackenzie the largest trees are frozen to the heart.

2935. Therefore in breaking wood for fuel, or anything else, you have to use particular instruments for the purpose?—The hatchets require to be peculiarly tempered; the European hatchet breaks immediately when it is attempted to be used for that purpose.

2936. You having been in that country at different periods, occupying a long series of years, I suppose you have had some opportunity of judging of the influence of the Hudson's Bay Company over the population of that territory; will you tell us what your opinion of it is?—The best way, I think, of answering that question would be to describe what I saw when I first went out. In 1819, when I accompanied Sir John Franklin out upon his first expedition, the two companies, which were then opposed to each other, the Hudson's Bay Company and the North-West Company, were at war. Landing at York Factory we found several of the members of the North-West Company prisoners in the fort; they had been captured shortly before we arrived there. One of them, a Mr. Frobisher, escaped with some men and perished; he died for want of food in attempting to make his escape. There had been a fight previously at Red River, in which 21 people and the governor were killed; and I think 14 or 15 were starved to death upon the Peace River in consequence of the contest. That was the state of the country when we went in. We found both parties supplying the Indians liberally with spirits. The Indians were spending days in drunkenness at the different posts, and a contest altogether shocking to humanity was carried on. At that time it scarcely appeared that the Indians had any capability of being civilised at all. When we went out upon the second occasion, the Hudson's Bay Company having the sole trade of the country, and the sole management of the Indians, there was an improvement; spirits were no longer carried to the north, or they were carried in small quantities then. I think that at that time the traders themselves were supplied with a little spirits for their own use; but there was a manifest improvement, although none of the natives of pure blood had become Christians. The missionaries had been out for two or three years, but had made no progress beyond converting one or two of the half-caste Indians, I believe. Upon the last occasion in 1848 a generation of the Crees had passed away,

away, 25 years having elapsed, and the new generation were mostly able to read and write (all those that I came in contact with); many of them were labouring for wages for the Hudson's Bay Company, and altogether the country was peaceable from one end to the other. I saw no riot and nothing unpleasant throughout the whole journey. The Indians, in speaking of the Company, do not speak of them in the abstract; they talk of the different gentlemen at the posts, and the individual character of the gentleman has a great deal to do with their opinions; if he is liberal and kind to them they speak highly of him. As far as I could judge they seemed well pleased with their condition. I heard no great complaints, except the complaint which Indians always make, that they are poor, for the purpose of receiving presents; but a large number of their young men, were then employed in the Company's boats, and working for very good wages. We had to pay those whom we employed for the service of the expedition wages which would be thought very good in this country, at the rate of 30*l.* a year besides feeding them.

2937. *Chairman.*] From what part of the country did those Indians come?—I speak of the Crees and the Northern Indians.

2938. I refer to the party of Indians that you employed in your canoes on your journey?—The crews of the canoes were partly Iroquois and partly Crees or Chippeways. We also employed the Northern Indians almost throughout the whole length of their country.

2939. Did you pay them all in money wages?—We paid the Northern Indians by orders upon the Company; money did not pass.

2940. Were they ultimately paid in money, do you suppose?—I do not know for certain; I believe they pay in goods in the north; I do not know that the Indians know the value of money properly there; they reckon by beavers; a beaver has a certain money value; and they are paid by so many beavers.

2941. Do not the Indians nearer to the settled districts know the value of money?—I think they know the value of money very well at Red River. Those from Red River that we saw were paid in money, and the Iroquois and Chippeways that came from the south were paid in money.

2942. *Mr. Edward Ellice.*] While you were there did you hear any complaints of the rule of the Company being oppressive?—I heard no complaint of that. I had conversations with some of the half-castes from Red River that we employed; and they told me that they had a right to the country in virtue of their parentage, and wished, if they could, to get possession of it. They look upon the exclusive fur trade much as our poachers do upon the game laws in this country, and they wish to have the fur trade to themselves.

2943. Do you think, from your experience of the matter, that you could suggest any other way of keeping that country (I will not call it governing it) so well as by means of the traders?—I have thought upon the subject: I think that Canada could not do it, seeing how that government has failed already with the Indians that came under its rule upon Lake Superior. The Chippeways came down in a body the year after we passed down, and destroyed a mining settlement at Mical Bay, without the Canadians being able to prevent it; that was upon the north side of Lake Superior.

2944. *Chairman.*] When did that take place?—I think it was in 1849. A regiment was sent up from Canada to suppress the foray; but the Indians were gone, and several soldiers died from the severity of the climate in going up. I was told by an officer who conducted a part of the force that the poor men actually died of the cold in going up to suppress these Indians, who had retired to a distance, and were never seen at all after they had unfortunately destroyed the settlement.

2945. *Mr. Edward Ellice.*] Is there any way which you can suggest of governing that country better than by means of the Company?—I can suggest no way: the country I think is perfectly quiet under the government of the Hudson's Bay Company at present. I see several objections to annexing it to Canada: in the first place, the Canadians will not pay any of the clergy on either side; and as there are both Roman-catholic and Protestant clergy to be supported, and they are partly supported by the Hudson's Bay Company, and patronised by them, I think that the religious bodies would be in an inferior condition if the country were annexed to Canada, and that the missionary service would suffer. If the Imperial Government were to take the country into its own hands, I think there would be an immense staff of magistrates, and

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people to feed them, to be scattered over that very thinly peopled country, otherwise they could neither subsist in it nor govern it. I look upon it that the opening of the trade would bring in rival parties; and from what I saw formerly I cannot doubt but that the same scenes would recur which I witnessed in 1819 and 1820.

2946. You have spoken of the means of living. I think you wintered for two or three years in the country: can you give us an idea of how you lived in any one of those winters; of course you were kept in the best way that you could be?—We lived in different districts in the different winters: in the winter of 1819–20, when I accompanied Sir John Franklin, we lived at the Hudson's Bay Post, upon the Saskatchewan, at Cumberland, and were fed by the Company, principally upon fish, and partly on meat; but the next winter, of 1820–1821, we lived upon the verge of the barren grounds, where there are reindeer, and we fed upon the reindeer and upon such fish as the small lakes yielded.

2947. Sir J. Pakington.] Where was that?—At Fort Enterprise, some distance north of the Great Slave Lake.

2948. Mr. Edward Ellice.] Had you any farinaceous food or vegetables?—We had none whatever; no vegetables of any description.

2949. Nor flour?—Nor flour; and we lived that year entirely in the same precarious way that the Indians themselves did; towards the spring frequently passing two or three days without anything to eat at all.

2950. Mr. Bell.] In what latitude was that?—It was in 64 degrees.

2951. Mr. Edward Ellice.] You wintered one year up at Great Bear Lake, did you not?—Yes.

2952. I think there was one winter that you were there when you had hardly anything but fish to live upon?—We passed an entire winter at Fort Franklin, almost wholly upon fish; only in the spring we got a little animal food.

2953. In fact, there were six or seven months in which you tasted nothing but fish?—More than that; I should say we were eight months at least without tasting anything but fish except a hare occasionally, and a little moose meat towards the beginning of summer.

2954. That may be the fate of any people I suppose who go up to live in that country?—Any one wintering at the west end of Great Bear Lake would have to depend entirely upon fish.

2955. Mr. Kimbaird.] Is that fish dried or fresh fish?—It is frozen; it keeps the whole winter.

2956. Chairman.] When you talk of transferring the country, do you mean the whole country?—The whole country.

2957. Do you think it would be desirable, if it could be done in an equitable manner, to separate any portion of the country now administered by the Hudson's Bay Company which would be available for the purposes of colonisation and settlement, leaving the rest to be managed as mere hunting ground by the Hudson's Bay Company?—There is no doubt that the Red River and Vancouver's Island might be separated, but I do not think that settlers would go to the Red River until the progress of settling in Canada had advanced so far.

2958. Would there be any harm in making such arrangements as would enable settlers to go there if they wished to go there?—I see no objection to it, provided there is an arrangement made to govern the colony sufficiently.

2959. You mean that if the internal administration of such districts could be sufficiently provided for, you see no difficulty, so far as the Hudson's Bay Company are concerned, in their surrendering the administration of such districts, maintaining their administration over land which was calculated for nothing but for the fur trade?—I can see no possible objection to separating the Red River if such is desired, provided a sufficient number of troops are sent; there must be a military force, I think, otherwise it would not be safe.

2960. Why would that be more necessary in the event of a separation than it is now?—At present the Hudson's Bay Company's influence over the Indians is beneficial; the natives are dependent upon the Hudson's Bay Company for supplies; but if they could get supplies elsewhere, and if spirits were brought in (for there is nothing which will prevent the introduction of spirits but the resolution of the Company not to take them in) I think it would require a strong military force to keep the Indians in subjection.

2961. You

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2961. You believe that it would be more difficult to govern that district under something in the shape of an independent government than it is while it forms a part of the Hudson's Bay Company's territory?—It would be more difficult than it is at present, owing to the introduction of spirits and the advent of designing people; throughout Canada, when Indians receive the presents which the Imperial Government gives them, they part with them within 24 hours for spirits, contrary to the law, but still the Indian superintendents cannot prevent the people crowding to the neighbourhood and supplying spirits for the blankets and the other presents which the Indians receive from the Government.

2962. Is it not the case that the settled population at Red River is, upon the whole, a well ordered and moral population?—I cannot speak personally; I have had to do with a number of half castes from Red River who conducted themselves very well in our service; I believe that two-thirds of that colony consist of the descendants of Canadian settlers who are hunters; and from all that I have learnt by reading about it, the remaining third are the descendants of Orkney men and other Europeans, and are the possessors of the property, and the more resident cultivators of the soil, and are well conducted, but I have heard of the half-castes taking the law into their own hands; I do not know how far it is true.

2963. Mr. Kinnaird.] I think you have stated that during the last 20 years you have seen a very marked improvement in the Indians?—Yes; during the last 29 years a very great improvement.

2964. Would not some of those lands which you have described as not suited for Europeans to colonise and settle upon, do for an Indian settlement?—The Indians do settle upon the lands as far as they choose; there is no prohibition to that, and whenever they are inclined to form villages, they choose the land where they please at present.

2965. If you have seen such a marked improvement within the last 20 years, do you not think that additional efforts by the Company, by facilitating settlements, would greatly improve them?—If the Company were to devote their energies entirely to missionary purposes they might do more probably than they have done, but at present they facilitate the admission of missionaries of both religions, both the Protestant and the Roman-catholic.

2966. All round their forts, we have it in evidence that during the winter a great number of these poor Indians perish for want of food; if the Company encouraged village settlements of Indians, in whom your evidence tends to show that for the last 20 years there has been a great improvement, might they not make them refuges for the aged and the sick, where by accustoming them to habits of industry, as at the Red River, they might grow food enough to supply these starving people in the winter?—It is extremely difficult to convert a hunting people into cultivators of the ground; in the case of those who have led an independent life I believe it is one of the most difficult things to induce them to settle and to cultivate the ground; for instance, there is a large body of Indians in the immediate vicinity of the Red River who refuse to cultivate the ground, but prefer leading the precarious life of fishing the sturgeon, and hunting occasionally, or living upon the wild rice which is produced upon Rainy Lake; there is a large body of Chippeways or Sotoos there whom the French missionary Roman-catholics and the Protestants have tried to convert, and have not succeeded.

2967. You are aware that there is a flourishing settlement of Indians, in connexion with the Red River, who cultivate the soil?—Yes.

2968. Is it not likely that what is done in one place might be done in another by using the same means?—There is some reason why missionary exertion does not everywhere succeed; it succeeds with one tribe of Indians, but not with another. I cannot assign a satisfactory reason for the difference, but so it is.

2969. Do you mean to say that the same efforts which have been made at the Red River for the settlement of the Indians have been made in other parts?—The endeavours to proselytise the Sotoos and other Chippeways have been continued longer, I believe, than at Red River, but with little or no fruit.

2970. That was, I believe, because there were no attempts made or facilities given for settling the population on good land?—The land is very good on Rainy River, for there are very good points on which Indians could settle, and where settlements have been made and abandoned. The churches built by the

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Roman-catholics have been abandoned, because they could not get the Indians to settle round them. The reason of the failure probably is that the native tribes in that locality are independent of the Hudson's Bay Company, and therefore not amenable to their advice. They have abundance of sturgeon and great quantities of wild rice, so that they can feed themselves without having recourse to the supplies of ammunition or clothing with which the Hudson's Bay Company supply their Indians.

2971. What ammunition have they which does not come from the Company?  
—They do not require ammunition.

2972. You used the word ammunition?—I said that that tribe of Chippeways did not require the supplies of ammunition. They feed upon the sturgeon, which is so abundant upon Rainy River and the River Winnipeg, where they live.

2973. Some of the Red River settled Indians still go out to the hunting regularly, you are aware?—I believe that two-thirds of the population go out to the hunting.

2974. And the other third remain at home?—The other third, who are of a different origin, remain at home.

2975. What do they hunt with?—They hunt with the gun; with firearms.

2976. Mr. Bell.] Which are the tribes that you have mentioned which are independent of the Company?—They are Sotoos and other Chippeways.

2977. Where are they located?—Upon the banks of the Rainy River and River Winnipeg.

2978. Are the Chippeways independent also?—Partly.

2979. You say that there is a great difference between the different tribes of Indians, with regard to the civilising of them?—Yes.

2980. What tribes do you consider as most readily adopting the habits of civilised life?—The Swampy and Saskatchewan Crees have adopted them more extensively than any other tribe.

2981. Where are they located?—They are located from Lake Winnipeg to the English river, called also the River Missinippi, or the River of Churchill.

2982. In a north-easterly direction from Lake Winnipeg?—Northerly; and in a direction from east to west from Hudson's to Carlton House.

2983. Mr. Charles Fitzwilliam.] Can you give any reason why the Crees more readily adopt civilised life than the other Indians in the country?—Speaking of the Crees, there are a great many families of the Crees, the Sotoos, whom I have mentioned, and the Chippeways, who speak the same language, and are the same people, only using different dialects. The Crees in the lower part of the Saskatchewan, the district which I have just defined, have been long dependent upon the traders for their supplies, and therefore they have the more easily assumed the habits of civilised life. But the Crees upon the upper part of the Saskatchewan, who associate with the Stone Indians, are very turbulent and very difficult to manage.

2984. Are not most of the Red River half-breeds, half-breed Crees?—I suppose they are.

2985. Do you not think that that perhaps is a reason why they more readily adopt the habits and customs of civilised man?—I cannot think that that is a reason.

2986. Mr. Bell.] Have you reason to believe that the Company encourage the settlement of the Indians, wherever it is practicable, and assist the missionaries; or rather, do not discourage the missionaries, in any attempts which they make for settlement?—I believe that they assist the missionaries to a certain extent (I do not know to what extent), in a pecuniary point of view.

2987. But you have no reason to suppose that they throw any obstacles in the way of the missionaries?—On the contrary; I had a good deal of conversation with the Roman-catholic missionaries at Lac La Pousse, and they expressed themselves highly pleased at the attention which was shown to them.

2988. Have you ever had occasion to witness cases of lambe among the Indians? I have seen the Indians come in to the expedition posts suffering from lambe, and they were relieved.

2989. Have you seen any cases of starvation, of Indians having absolutely died from want?—No, I have witnessed no instances of that; I have heard of many.

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2990. In what districts particularly have you heard of that occurring?— I think mostly among the northern Indians; I have heard of several cases.

2991. Upon the Mackenzie River?—Upon the Mackenzie River, and eastward of Fort Chipewyan, when they have been out hunting, and have destroyed their property very often. When a northern Indian dies, the habit is to destroy everything at the encampment, and to make for the nearest post of the Company, and they very often starve on the way. That and other causes, such as a bad hunt, a bad season, or epidemic disease, will produce famine in a country where the natives depend almost solely upon hunting or fishing for support.

2992. Mr. Grogan.] Those Indians could not go on their hunt without the supplies which they receive from the forts, could they?—Not now that they have been accustomed to firearms.

2993. Are not the Indians supplied with the ammunition in barter for their skins or the products which they are able to exchange with the Company?— I believe ammunition is never supplied by the Company in exchange for skins, as far as I understood. The traders give ammunition for provisions, or supply it to the natives gratuitously if they require it; they barter goods, blankets, and other articles of clothing for furs.

2994. Is the ammunition supplied as a kind of present, then, or is there a kind of right in the Indian to get it?—The ammunition is a present if the Indian is in want. If he has provisions, they give it for provisions; if he has a quantity of meat to dispose of, they give ammunition for meat, but if he is destitute he receives it gratuitously.

2995. So that there is a distinction; they will not sell ammunition for skins, though they will for the other Indian products?—I do not know as to their not being willing to sell; but the fact, I believe, is, that they do not; as far as I can learn, the Indian never parts with his skins for ammunition.

2996. Have any instances come within your knowledge in which ammunition has been refused to the Indians for the furs?—No; as far as we were concerned ourselves in the expedition, we have been compelled to refuse ammunition from not having it to give; but I think that when ammunition is abundant in the trading forts it is never refused.

2997. It is given away gratuitously?—Provided the Indian is in want and he cannot subsist without it, the Company find themselves bound to support him in some way or another, and give him ammunition, but it very frequently happens that the ammunition at a post is exhausted.

2998. You have said, "provided the Indian be in want of the ammunition;" how is the Indian's want of ammunition ascertained?—What I mean by his being in want is, if he has no provisions to dispose of. An Indian, if he has a successful hunt, kills more provision than he requires for his own use, and he barter it for ammunition. It is a common thing. We frequently purchased geese and fowl and deer from the Indians, and gave them ammunition for them.

2999. I am speaking exclusively of the establishments of the Hudson's Bay Company?—I am merely illustrating the practice. Not having resided at the trading posts of the Hudson's Bay Company for many seasons, I cannot tell whether it is invariably the case or not; but I was told in the country that they never do purchase furs with ammunition. How far that was correct information, I cannot say.

3000. My question was, whether any instances had come within your knowledge in which ammunition had been refused to the Indians?—No; nothing has come under my knowledge as to the refusal of ammunition.

3001. Lord Stanley.] But it might very well happen that ammunition should be refused to a party of Indians at one of the forts in consequence of the supply at the fort itself being short?—Yes, I dare say that has frequently occurred. I have known the posts without ammunition; and in descending the Mackenzie's River the last time we supplied one of the forts with ammunition, because theirs was exhausted, and the Indians were remaining at the post waiting for the supplies coming in. Upon our having supplied the fort they were enabled to give ammunition to the natives, and send them off to their hunts.

3002. In reference to what you said about the famines among the Indians, were these common in the southern part of the territory, or only in the far north?



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north:—I did not hear of them in the south; they are mostly amongst the northern Indians.

3003. In countries where all cultivation of the soil is impossible, and where human subsistence can only be obtained by hunting or fishing?—In a country where cultivation cannot be carried on advantageously.

3004. Mr. Grogan.] You gave us an account of your journey from Fort William towards the settlement of Assiniboine, and you described some parts of that country up as far as the Rainy Lake; you said that there were occasional parts where you thought settlement might be made?—I did not go to the Assiniboine at all; I came down the River Winnipeg, to the eastward of it.

3005. You went through Rainy Lake?—Yes.

3006. Did you descend the river from that to the Lake of the Woods?—Yes.

3007. What is the nature of the country about there?—The Rainy Lake River is more fertile than almost any other part of that district which we saw.

3008. And that would be adapted for settlement?—That would be adapted for settlement, and that is precisely the country which the tribe of Chipewags, of whom I spoke, inhabit. The Canadian missionaries have been trying to make villages there, and failed.

3009. Can you give us a description of the country from the Lake of the Woods to Lake Winnipeg?—The descent of the River Winnipeg is through a very rocky country, and full of rapids, and it is a very dangerous river to descend; no cultivation, as far as I know, can be established upon the immediate banks of that river.

3010. You passed some time at Fort Cumberland?—Yes.

3011. Have you any reason whatever to doubt that that district is capable of settlement and cultivation?—Portions of it are capable of cultivation; it is not a district which a farmer would choose.

3012. Will you explain why?—I have already mentioned that the substratum is magnesian limestone; there is very little soil over it; the soil is shallow.

3013. There has been cultivation at Fort Cumberland, at the station of the Hudson's Bay Company, I believe?—There have been fields cultivated.

3014. To any extent?—I cannot speak of the extent, probably 20 acres.

3015. Quite sufficient, however, to show that both climate and soil were suitable for cultivation?—It produced grain for the use of the post.

3016. At the time you visited it, was it on your first, second, or last expedition?—The first year that we were there was the winter of 1819 and 1820; we wintered there.

3017. Was that the only occasion on which you resided there?—It was the only occasion on which I resided there; we passed to and fro upon every other expedition.

3018. From your knowledge of the country, has any progress been made in that settlement by the Hudson's Bay Company, in the spread of cultivation?—The introduction of cattle was the only great progress that I saw; they had introduced cows in great numbers.

3019. Was not it at Fort Cumberland that Governor Williams used to reside when he was governor?—Yes.

3020. Did he not go to a good deal of trouble and expense in getting up an agricultural establishment there?—He cultivated several fields, but I do not think that he was very successful.

3021. Was it from the crops failing?—The extent was not great; I do not think that altogether he cultivated above 20 acres.

3022. Were there farm buildings and things put up?—There were no farm buildings when I was there; there was a stable for horses.

3023. In what state was it when you visited it; was the agricultural colony endeavoured to be extended, or was it retrograding?—It was not improved the last time I visited it. It was not of so great an extent, I think; but a few miles lower down, at the Pas, there was an Indian village established.

3024. Near Fort Pelly?—No, lower down the river; above Cedar Lake.

3025. Were they encouraged there? They were encouraged. A church was built, and a school was established, and the Indians collected in the village near the church.

3026. Were

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3026. Were the Indians becoming agriculturists there, and depending upon the soil more than upon the hunting?—They were agriculturists to a certain extent; but they did not remain there the whole season; they would go to hunt occasionally.

3027. Was it that the quantity of produce which they got from the soil was insufficient for their maintenance?—They did not cultivate to the extent to produce vegetables for their whole maintenance, and I do not think that Indians would consent to live entirely upon vegetables.

3028. Lord *Stanley*.] Even among the settled Indians, I suppose, there is no tribe which lives entirely by cultivation; they look to it rather as a resource when hunting and fishing are not sufficient for their support?—I do not know any tribe which does it. Even in Canada they have their hunting grounds reserved to them.

3029. Mr. *Grogan*.] Was Governor Williams at Fort Cumberland on your first visit?—Yes.

3030. How long after your first visit did he remain as governor?—He remained as governor, but he moved to the south part of James's Bay; he moved down to Moose Factory.

3031. He was residing there as governor also?—At that time there were two governors; Governor Simpson became governor of the northern district; the amalgamation of the companies took place during the time that we were in the north, and when we returned again we found Governor Simpson governing the northern part of the country, and Governor Williams the south.

3032. Was the appointment of governor of the south considered promotion, or the contrary?—It was divided between the two; I do not know whether Governor Williams chose the south in preference or not.

3033. If I understand you correctly, a part of your evidence is, that as regards the Red River Settlement and districts about it, there is a considerable tract capable of being brought into colonisation, but the want of a ready communication to export the produce is the great drawback?—The want of communication; and from what I observed in Canada no settlers will go a great distance from the settled posts; they creep along more or less rapidly, but a settler does not like to go into a wilderness away from a neighbourhood; and there is a large district along the north side of Lake Superior which must be settled before settlers will flock to the Red River.

3034. Mr. *Bell*.] Is that in Canada or in the Hudson's Bay territories?—It is in Canada; I do not know exactly the boundary.

3035. Sir *J. Pakington*.] Is it in both; is it not?—The Hudson's Bay Company have posts there; but I suppose it is under the Government of Canada.

3036. Is not the country on the north of Lake Superior, both that part which is in Canada and that which is in the Hudson's Bay territory, at present wholly unsettled?—It is not wholly unsettled; I do not know what it is at the present moment; at the time that I passed there were five or six mining companies located upon it.

3037. At what distance from Lake Superior?—Upon the borders of Lake Superior.

3038. But the district of country to the north of Lake Superior is wholly unsettled, is it not?—It is wholly unsettled, except by the Indian native tribes.

3039. The frontier between Lake Superior and the Red River is also unsettled, is it not?—The only fixed residences which intervene are the Hudson's Bay posts.

3040. What is the distance in miles from the nearest point of Lake Superior to the Red River Settlement?—I should say from 250 to 300 miles.

3041. Mr. *Edward Ellice*.] I think we have it in evidence that it is about 500 miles?—Yes; that is following the canoe route.

3042. Mr. *Grogan*.] In your journeys to that country I believe you travelled from Fort William to Lake Winnipeg very much the same district?—Yes.

3043. Upon all occasions?—Upon all occasions.

3044. That covered a space of nearly 30 years?—Yes, 20 years.

3045. When you first went there the dispute between the North-Western Company and the Hudson's Bay Company existed?—It did.

3046. The North-Western Company had a station at Fort William, had they not?—They had.

3047. Had they stations along this route which you have described to us  
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towards Lake Winnipeg?—The Hudson's Bay Company and the North-Western Company had parallel stations. In 1819 I did not travel up that way; it was from 1825 that I travelled that route; it was only in two journeys to and fro that I travelled that route.

3048. When the North-Western Company were hunting for furs in Rupert's Land, and that district, was it by Fort William that they got their supplies into that country?—Yes.

3049. As considering it the most convenient for the supply of their stations?—It was the only one that was open to them; they had no other route.

3050. Was not it the most convenient also?—No; they would have got their supplies in cheaper by Hudson's Bay if that route had been open to them. It was not the most convenient, because the moment that the companies amalgamated they ceased to get their supplies by that route.

3051. Might not there be another reason besides that; the exclusive privilege of the Bay, for instance?—A mercantile company would take the cheapest route, I suppose, for carrying in their goods.

3052. But, in point of fact, the North-Western Company, when they hunted that country, sent in all their supplies to it by Fort William and the river which you have described?—Yes, that was their only route.

3053. It is all canoe work, is it not?—It is canoe work entirely.

3054. On the last occasion when you travelled there, was the river in a better state or in a worse state than when you first visited it?—The route, I think, is not in a better state; I think it is worse from the progress of time; the portages are worse.

3055. There has been no expense or trouble taken, in fact, to keep the route open?—I cannot speak as to the expense; but I think that the route was not improved.

3056. Could it, in your opinion, have been improved?—There is no doubt that roads could be made at an enormous expense.

3057. I think you said something about the portages not being in a very good state; could not they have been maintained at least in the state that they were in at first?—They could; but the Americans travelled the same portages in part; it must be a joint thing their doing it, I think.

3058. Do you mean that it would not be right that the entire expense should be thrown upon the Company on one side of the river?—Yes.

3059. If that route were opened, and some expense incurred in the improvement of these portages, and in making that route more perfect, would not it conduce very much to what you say is the absolute *sine qua non* of the country, namely, an improved communication with the settled parts of Canada?—If you could make a railroad; but there is no route in which canoes are exclusively employed which will ever make the carriage of grain profitable. The expense of a canoe for a single season (and a season is always implied in it) is never less than 300 £; it is from 300 £ to 500 £ for the wages of the men and their maintenance. One of these large canoes will carry about 50 or 60 pieces of goods of 90 lbs. weight each; that would make the grain excessively expensive; I believe the expense was enormous in endeavouring to carry grain up to supply the troops at Red River. That route was chosen, and the grain was carried up at a vast expense. Such a canoe as I have spoken of is manned by seven to fourteen men.

3060. How far does a canoe, such as you have described, travel?—The large north canoe goes only to Fort William; there it is changed for small canoes. The same 14 men who man one of the large canoes to Fort William man two small canoes. But the expense of the two small north canoes would be the same as the expense of one large canoe with 14 men, because there are seven men to each small canoe.

3061. Have you travelled through the parts of Minnesota and the United States which adjoin our boundary there?—Yes, I have been through Lake Huron, and have seen that part of Michigan.

3062. In the country which you speak of about Lake Huron and Michigan, are there a variety of American settlements and resident establishments which have grown very fast indeed?—Very fast.

3063. Have they the facilities of roads, or is it by canoe work that they are obliged to derive their supplies?—They have railroads and steamboats; there are some of the finest steamboats in the world running to those settlements upon

upon Lake Michigan; there is a succession of large steamboats, three or four running in a day to Michilimackinac on Lake Huron; and there is a railroad from New York to Chicago and Illinois.

3064. Mr. *Bell*.] There are steamboats on Lake Superior, are three not?—  
Now there are steamboats on Lake Superior. 9 March 1857.

3065. But they only go to the American settlements; there are none to the English settlements?—They were not running when I was there.

3066. Mr. *Grogan*.] You have described these powerful steamboats and railroads also to some of the new American settlements; were the settlements in existence before these steamers went there, or did the steamers create the settlements?—Michilimackinac has been in existence since the time of the conquest of Canada.

3067. Have you ever been at a town called Superior, on the American side of the upper end of Lake Superior?—No; I have not been at Fond du Lac at all.

3068. Have you been at Chicago?—No; I have been at Michilimackinac only.

3069. We find settlements on the American territory which grow very rapidly indeed, and steamers and railroads running into them; why are there not settlements of the same description on the British side of the line?—That is the great thoroughfare for emigrants to the Mississippi Valley; they go from New York by that route to the Mississippi; there is a constant passage of travellers. I have conversed lately with a farmer from Illinois; he told me that in that very fertile country, where they could take 20 crops in succession without manuring the ground, their grain was of no value without a railway, and settlers were very scarce; they ran a line of railway through a part of the country, and instantly villages sprang up on both sides, and bags of grain were piled up on each side of the railway, more than they could carry away.

3070. Would not the former part of your description of Illinois exactly apply to the Red River Settlement, that the inhabitants there were few, and that the land was fertile, but that they wanted a mode of exporting their produce?—If you carried a railway to the Red River, I think you would have settlers.

3071. Previously to the establishment of a railway, however, to the Illinois district which you spoke of, people went and settled in that district?—They did settle, but not in the same numbers; they were in smaller numbers; the numbers increased rapidly after the opening up of the railroad.

3072. They were all free settlers, of course?—Yes.

3073. Are there any considerable numbers of free settlers in the Red River?—I do not know. I am not able to speak as to the number of free settlers.

3074. Is there any part of the river where it runs through into Lake Winnipeg navigable for steamers?—I cannot tell; I never ascended the Red River; I do not know what rapids there are in it; but I should suppose that steamers, with a shallow draught of water, might ascend it.

3075. You seem very apprehensive of the introduction of spirits into the Hudson's Bay Company's territory in the event of part of it being thrown open for colonisation?—Yes.

3076. Would they be introduced, do you apprehend, by the British settlers, or from the American side?—I think both ways.

3077. In point of fact, are ardent spirits used in the country now?—There are none in the interior. I do not know what is used upon the boundary line. I did not visit the Red River Settlement.

3078. Mr. *Bluckburn*.] Do you compare Illinois and the Red River Settlement at all in point of agricultural capability?—Not at all. Illinois I suppose is the most fertile soil in America.

3079. So that there is no chance of the Red River being settled so rapidly as Illinois?—I should say not the least; but I speak of the Red River mostly from the information which I have gathered.

3080. Mr. *Bell*.] You do not speak of the Red River from personal knowledge?—No.

3081. It has been stated in evidence, I think, that the Red River will afford crops twenty times in succession without manure? The Red River is at least 1,000 feet above the level of the sea, and very much higher than Illinois; that is a great element against cultivation.

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3082. Mr. *Gregson*.] Are you of opinion that no settlement, either of Europeans or of Indians, could be formed without the protection of a military force?—I am of that opinion.

3083. Mr. *Bell*.] What other productions of the country are there which you are acquainted with; are there any other mineral productions at the settlement of the Mackenzie River; I think in your journal you mention plumbago?—I have seen specimens of plumbago found near Fort Chipewyan.

3084. Was it of good quality?—The piece that I saw was of very good quality.

3085. Do you think it is found in considerable quantity?—That I cannot say; I was unable to visit the spot.

3086. You spoke of the inundations on the Saskatchewan River; do they leave a deposit?—They do.

3087. What description of deposit?—They leave alluvial deposit, but it is swept away in the spring floods again; there are large alluvial flats produced, and they are constantly changing their situation.

3088. So that they do not leave any great body of soil?—It would not be safe to build on many of them; but there are bluffs, such as that occupied by the Indians, raised four or five feet above the level of the floods; there are villages located there.

3089. You were speaking of ground-ice; it has been mentioned in the Committee that there are swamps, between Lake Superior and Lake Winnipeg, frozen permanently throughout the year; have you found that to be the case?—I have found late in the summer, when wading in lakes to collect water plants, ice under my feet, but I cannot speak as to the extent. There is one lake called Cold Water Lake, which has an exceedingly low temperature at all seasons of the year; upon the height of land there.

3090. The subject of the influence of climate upon the cultivation of the ground has been mentioned several times; you say that clearing woods rather deteriorates the climate; what do you think is the effect of draining marshes and swamps?—I should think that it would improve the climate.

3091. Should you imagine that any of this marshy country would, if settlements were carried into that neighbourhood, be capable of drainage, so as to have that effect?—Yes; I think that would improve the climate if it were thoroughly drained; but it must be a very remote thing; the country must be settled previously.

3092. Mr. *Charles Fitzwilliam*.] Have any geological surveys been made of that country?—No, unfortunately not; the north shore of Lake Superior has been thoroughly surveyed by Mr. Logan and his assistants.

3093. What has been the result of that?—They found some minerals, which have been worked; they found lead and copper.

3094. Any iron?—I dare say there is iron; I saw plenty of iron ore in some places; but that has not been worked, so far as I know; there were four or five Canadian companies formed for working minerals, and they all failed.

3095. Mr. *Bell*.] Do you understand why they failed, seeing that there are successful companies on the south shore of the Lake?—But that is a very different deposit; that is native copper.

3096. Mr. *Charles Fitzwilliam*.] Were those mining companies which failed under the direction of competent persons?—That I cannot tell; they had miners from this country; there was a mine which I saw carried on, and apparently there were a great many people employed—the Bruce mine upon Lake Huron; that has failed, I understand, as a speculation, and the shares have fallen to a nominal price.

3097. Mr. *Edward Ellice*.] But the Hudson's Bay Company had nothing to do with any of these mines?—No; in the case of a mine established on Lake Superior, the Colonial Legislature granted the mine to a company, without buying the Indian right, and that was the cause of the Indians coming down in force and dispossessing the miners and burning the whole village.

3098. Mr. *Bell*.] Then you have no reason to suppose that if the Indians had their rights purchased fairly they would disturb any mining operations?—No; I think a small amount of purchase-money would have contented them.

3099. And this mining settlement was broken up entirely from the want of taking that prudent and reasonable precaution?—From want of management.

3100. Mr.

3100. Mr. Grogan.] Would the failure of these mining companies to which you refer have occurred if that precautionary step had been taken?—I cannot say; I believe they were not productive as mercantile speculations.

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3101. You describe that the Indians came down *en masse* and burnt and destroyed the whole settlement?—They destroyed one mine; but there were several mines at various distances.

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3102. Was the destruction of the settlement and of the machinery, and so on, the cause of the failure or abandonment of the mine, as far as you know?—I suppose the miners would have resumed it had it been remunerative; and that it was not worth their while to incur the expense a second time.

3103. Mr. Charles Fitzwilliam.] So that you think that the country to the north of Lake Superior is not sufficiently rich in mineral produce to repay mining companies?—Minerals have not as yet been found in sufficient quantity. It is very probable that if that country were thoroughly explored there might be workable minerals discovered. I think the geological formation is promising.

3104. Mr. Bell.] You do not know of any extensive examinations of that part of the country; you are not aware that the Hudson's Bay Company have taken any trouble in it?—The Canadian Legislature have had a thorough survey by a competent and able man, Mr. Logan, with a staff of assistants.

3105. Mr. Edward Ellice.] All these mines of which you have spoken, where there has been either failure or success, are in Canada; and not in the Hudson's Bay territories, I believe?—They are all in the Canadian territory.

3106. Mr. Bell.] Then there has been no mine opened on the Hudson's Bay territory?—Not that I know of; the watershed into Hudson's Bay, I suppose, divides the two Governments; the watershed into Lake Superior belongs to Canada, and the watershed into Hudson's Bay to the Hudson's Bay territory.

3107. Mr. Charles Fitzwilliam.] But I see marked on the map Fort William as a Hudson's Bay post?—They have posts all along the Labrador coast and northern shores of the Great Lakes.

3108. I find the following passage in your book:—"It would be true economy in the Imperial Government or in the Hudson's Bay Company, who are the virtual sovereigns of the vast territory which spreads northwards from Lake Superior, to ascertain without delay the mineral treasures it contains. I have little doubt of many of the accessible districts abounding in metallic wealth of far greater value than all the returns which the fur trade can ever yield"?—Yes; that was the opinion I formed from seeing it, but I did not find these minerals myself; I only judged from the nature of the geological formation.

3109. Mr. Grogan.] But you see no reason to change the opinion which you there expressed?—I have not changed it; I think if the country were thoroughly explored minerals would be discovered. We find in our own country that valuable minerals are discovered every day.

3110. Mr. Bell.] How far have you traced copper in your journeys; there is a considerable quantity, I believe, in the north, on the Copper Mine River?—There is a large copper district on each side of the Copper Mine River.

3111. Between these copper deposits on Lake Superior and those in the north, have you met with any intermediate ones?—There is no mineral, as far as I know, in the limestone districts.

3112. This is your map, and the pink colour shows the primitive rock?—Yes, that shows the course of it, but it is exceedingly difficult to traverse that upper part.

3113. You do not know of any other veins of metal which have been met with?—I know of none until you get to the Copper Mine River.

3114. With regard to the coal on the Saskatchewan, I do not think your answer was perfectly clear as to the quality of it?—The specimens which I saw were tertiary coal.

3115. Was it all inferior coal?—It is all inferior coal; it is not similar to the large coalfield which is worked in England; it is a kind of fossilised wood, a lignite.

3116. Is it not good for combustion?—It burns, but it could not be used for purposes of art. It would not heat a steam-engine well.

3117. You said that the coal on the Mackenzie was bad, from the quantity of sulphur?—Yes.

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3118. Is that on the Saskatchewan liable to the same objection?—It is liable to the same objection, but I did not visit the deposits upon the Saskatchewan; I do not know their extent.

3119. You do not know of any secondary coal formations in the Hudson's Bay territories?—None. There are coal formations in the Arctic Sea of the proper coalfield.

3120. Near the mouth of the Mackenzie River?—No, they are further north still; on Parry's Islands.

3121. Near Melville Island?—Yes, at 74 and 75 degrees. There is some also in Greenland, I understand.

3122. You have mentioned Fort Liard in your book as the northern limit of the economic cultivation of grain?—Yes.

3123. I do not quite understand what you mean by economic cultivation?—Where the return will be sufficient to induce people to sow.

3124. Supposing it was found that there was any mineral wealth in that district up as far as Fort Liard to induce settlement, the country and the soil would enable the cultivation of grain to be carried out sufficiently to support a settlement, though it would not be sufficient to induce people to go as agriculturists?—I did not visit Fort Liard, so that I cannot tell what extent of ground is available; I only know that it has been cultivated there; but at Fort Simpson, which is not far from it, a little more northerly, they cultivate barley and rear cattle, but they bring their hay 150 miles down the river to feed their stock during the winter of nine months. They actually cut their hay 150 miles distant from the post.

3125. With regard to the banks of the Peace River; have you travelled up the Peace River at all?—A little way; it crosses through a prairie country, much of it.

3126. Does the river run principally through a prairie country, or are the banks wooded?—The banks are wooded; but there is an elevated plateau of prairie land.

3127. Would you not consider that that would be a favourable agricultural country, supposing it was more accessible; that is to say, that the prairies might be used for sheep and for pasture, and the wooded portions might be cultivated?—They could cultivate grain, so far as I understand, upon the alluvial points of the Peace River; but the existence of wolves over the whole prairies completely precludes the depasturing of sheep. The wolves are too numerous for any domestic cattle to be turned out upon the prairies.

3128. Lord John Russell.] With regard to the prospects for the future, supposing that no change was made by the Government or by Parliament in the authority which the Hudson's Bay Company have hitherto had, do you think that they would be able to preserve that authority as well as they have hitherto done?—I think so. Judging from the past, I think they would be able to preserve it in the future. The only disturbance of the peace which I expect might arise would be from the Red River, from the half-caste settlers there wishing to interfere with the fur trade; I think they would be likely to give some trouble.

3129. Would not persons from the United States or from Canada be likely to wish to settle there, and settling there interfere with the fur trade?—I think the fur trade is the only thing that would bring them there; I do not think they would come as settlers for any other reason.

3130. Supposing that they settled for the reason of interfering in the fur trade, which seems very possible, would not their attempts to get possession of the fur trade or to interfere in the fur trade, a good deal disturb the authority of the Hudson's Bay Company?—As long as the Hudson's Bay Company retain their influence over the Indians, I think they can prevent the people from passing into the interior and disturbing them much, but if the trade were opened, I think that a contest would arise.

3131. Do you think that in the present state of that district, and of the neighbouring country, the trade can be kept closed?—I think so for some time, until settling advances nearer to them; at present they are at such a distance from any populous country, that they are secluded as it were from the world.

3132. Do you contemplate preventing settlement as far as possible, or allowing settlement, endeavouring to prevent that settlement being turned into interference

interference with the fur trade?—I do not see that settlements at the Red River would interfere with it, but settlements further north, I think, would interfere with the fur trade.

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3133. Therefore, you would not object to see settlement make progress at the Red River?—If the Red River were put under a sufficiently powerful government, apart from the Company, I see no reason why it should not be settled, if they could get settlers to go there; but I do not think that settlers will go, except, as I said before, to carry on the fur trade.

3134. Supposing the Red River Settlement to be a separate territory, could there be a frontier between the Red River Settlement and the country to the north of it which would be available, and could be sufficiently marked to be observed?—There is no natural boundary; the only thing is that the Indians are under the control of the Hudson's Bay Company, and they could remove them from the immediate vicinity of the settlers.

3135. Are you aware whether the fur trade which has been carried on by citizens of the United States within the borders of the Hudson's Bay Company's territory has been very profitable to the individuals?—I cannot speak as to that; my information is very imperfect upon that subject; I have no personal knowledge of it; the United States Fur Company have posts in the immediate vicinity of the Hudson's Bay posts, and they will give a high price for the furs of course, and use every means to get the Indians to bring the furs to them, but how far it is profitable I cannot say.

3136. Do you see any objection to giving every facility in order to promote communication between Lake Superior and the Red River Settlement, to promote roads and other means of intercourse?—I see no objection to improving the communications at all; naturally if the Government were to make a road there they would wish it removed from the United States frontier.

3137. Could there be a good communication from Lake Superior without at all touching upon the United States territory?—I think it would be difficult to find a good route; the country is very hilly and rocky.

3138. The country in that part near Lake Superior is very difficult and rocky?—It is very difficult. The watershed is close to Lake Superior, and the ascent very sudden; within a distance of 50 miles, the ascent is from 600 to 900 feet.

3139. Supposing the communication were through the American territory, would there be much difficulty in paying tolls or rates of duty for the transit?—I cannot answer that question. The easiest communication to Red River is through the American territory by way of St. Paul's, I believe. That is the easiest ascent, but it is by no means a safe route, I am told. Travellers are subject to the hostile incursions of Indians.

3140. Would not it be possible to make some arrangement between the Government of this country, the Government of the United States, and the Hudson's Bay Company, which might be advantageous to all three?—I dare say that that might be done. There is an arrangement for the transit of goods from Canada through the United States by way of New York. The goods are carried free of duty for embarkation there, and merely pay for the transit. They are sealed up.

3141. British manufactures are now carried in that way sometimes from New York, are they not?—They are carried to New York by the Genessee from Canada, and in the same way the American ships descend the St. Lawrence; ships that have come from the American coasts of the Great Lakes.

3142. Mr. Bell.] Do you think that any scheme which might be proposed for cultivating the country, and taking advantage of its natural products, would be incompatible with the fur trade; that it would collect settlers and make it impossible to keep the fur trade closed?—I think that if settlers were to come in in sufficient numbers the fur trade would suffer.

3143. And that would lead to disturbance throughout the country, and it would be impossible to preserve tranquillity?—Without a strong Government.

3144. Lord Stanley.] In the event of a considerable influx of settlers taking place at the Red River, would it be necessary to remove the Indians from the Red River, or do you consider that a European settlement could co-exist with the Indian population?—I do not think, as far as I understand it, that it would be necessary to remove any Indians from the Red River; but (I am only speaking now from supposition) I think that the Company would remove the Indians from



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from Lake Winnipeg, and send them to hunt a little further north, to cut off the communication.

3145. Mr. *Bell*.] Would you consider that there was any advantage in removing Indians who were settled and had become cultivators of the soil?—I do not think they could remove them; they would not move.

3146. It has been done in the United States, and also in Canada?—That was done by force.

3147. The Indians when they had settled the country and brought it into cultivation objected very much to be removed?—Exceedingly.

3148. Mr. *Edward Ellice*.] Do you not think that if the Red River Settlement were an open colony the Indians from all parts of the territory would flock towards it in the hopes of getting liquor?—That I cannot say, if liquor were easily acquired I think that a great part of the furs would be carried in that direction to procure liquor.

3149. Mr. *Grogan*.] The great want in that country in the way of colonisation is the means of a ready communication for the transit of their goods?—The means of exporting the produce; the want of that would bar cultivation.

3150. A project has been mentioned here as being contemplated for a canal somewhere from Fond du Lac to communicate with the lower end of the Rainy Lake in the British territory; if such a navigable canal were constructed, for instance, would that in your opinion answer the purpose?—It would not answer the purpose for Red River without passing through the American territory, and from Rainy Lake the route would be through a part of the American territory, unless they descended the difficult river Winnipeg.

3151. I should tell you that the project is American; to construct it through American soil as far as it goes?—If they could construct a canal there, it would make the communication with Red River easier; but it would be through American territory.

3152. But would it not have the effect of opening up that country for settlers?—I think so. If it is worth while to make a canal, the projectors must see their way to the settling of people there; but that would be in the American territory, as I say.

3153. Is it within your knowledge that there is any communication by the Rat or Reed River, Lake Winnipeg, and Red River?—I have heard that there is a canoe route in that direction.

3154. But you have never traversed it?—I have never traversed it; I have heard that there is a canoe route across there, and that the Americans travel in that direction.

3155. Mr. *Edward Ellice*.] For how many months in the year would the route be open by canal, by ordinary means?—Between four and five months; I suppose five months.

3156. And for the other seven months it would be closed?—Yes.

3157. Mr. *Blackburn*.] How many feet did you say the level of Rainy Lake was above Lake Superior?—I do not know without reference; I suppose that Rainy Lake would probably be 500 feet; it is upon the other side of the watershed, upon the descent to Lake Winnipeg.

3158. So that there is no great probability of a canal being made to rise to a superior level of 500 feet?—No, I should think not; there would be a great many locks.

SESSION II. 1857.

*Martis, 19<sup>o</sup> die Maii, 1857.*

MEMBERS PRESENT.

Mr. Blackburn.  
Mr. Christy.  
Mr. Edward Ellice.  
Mr. Charles Fitzwilliam.  
Mr. Gregson.  
Mr. J. H. Gurney.  
Mr. Kinnaird.

Mr. Lowe.  
Mr. Matheson.  
Sir John Pakington.  
Mr. Roebuck.  
Lord John Russell.  
Viscount Sandon.  
Lord Stanley.

THE RIGHT HON. ROBERT LOWE IN THE CHAIR.

Colonel John Efolliott Crofton, called in; and Examined.

3159. *Chairman.*] ARE you in Her Majesty's service?—I am.

3160. In what department of the service?—I am a colonel in the army, and am now employed in the War Department.

3161. Have you ever been in the Hudson's Bay territory?—I have.

3162. In what capacity?—Commanding the troops that went out in 1846.

3163. What troops were they that went out?—They consisted of a wing of the 6th Foot, a detachment of artillery, and a detachment of Royal Engineers.

3164. From whence were they despatched?—They sailed from Cork, and I received them over from General Turner by order of the Duke of Wellington, under special instructions.

3165. Where did they land in America?—At Fort York, Hudson's Bay.

3166. Where was your station with those troops?—I was destined for Red River, Fort Garry.

3167. Did you go there?—I did.

3168. From Fort York?—From Fort York.

3169. How many men had you altogether with you?—Altogether about 383 persons; viz. 18 officers, 329 men, 17 women, and 19 children.

3170. Were there guns with you; heavy stores of any kind?—We had 28 pieces of artillery with us, but we could not convey them all; we took one nine pounder, and three six pounders to Red River.

3171. How were your men and your stores conveyed to the Red River?—In boats; the stores at the portages, on the backs of the men.

3172. How were these guns conveyed?—We made a contrivance of canvass with handles and carrying straps, slung the guns in them, and we skidded them, if I may use that phrase, which is best known, all along the swamps, by taking the wheels off and carrying them.

3173. What time of the year was it when you arrived at York Factory?—I think it was the 7th of August.

3174. Did you immediately proceed to the Red River settlement?—In about 11 days.

3175. How long did the journey occupy?—It was varied: I myself arrived seven days before the troops, in order to make preparations for receiving them, but they were about 30 days.

3176. Was any of the journey performed in boats?—Altogether in boats, except in crossing the portages.

3177. What was your duty at the Red River; for what purpose were you sent there?—I went under secret instructions.

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3178. How long did you remain there?—I remained myself until the following July, but the troops remained until 1848.

3179. Had you an opportunity of making yourself acquainted with the government and administration of that colony?—I had large opportunities, and I was a member of their Council *ex officio*.

3180. Will you state to the Committee the opinion which you formed from those opportunities of the government of the Company?—The government of the Company I can only speak to as affecting the Red River colony itself, and I would there characterise it by one word, that I think it is a patriarchal government more than any other; I do not know how else to describe it.

3181. Did you travel far from the Red River yourself?—I was ordered to return *via* Canada, and I made a military report on the lakes and rivers.

3182. Which way did you return?—I returned by the ordinary canoe route, by Lake Superior, Sault Ste. Marie, and so home.

3183. From Sault Ste. Marie where did you go?—I proceeded by the ordinary steamers to Montreal through Canada, but the difficulties were in getting to Fort William.

3184. On Lake Superior?—On Lake Superior.

3185. What did those difficulties consist in?—The numerous portages.

3186. Were there many persons with you, or were you a small party?—A part of the way I proceeded with Indians in the canoe and two half-breeds. The remainder of the way I was joined by Sir George Simpson, the Governor, and came on with more comfort and ease.

3187. Was there any other difficulty in the way except the portages?—None.

3188. Was the navigation pretty simple?—Decidedly easy.

3189. Was the country difficult to cross?—I believe it is exceedingly swampy to cross; the only communication is by the rivers and lakes.

3190. You spent a winter in the Red River?—I did.

3191. What is your opinion of the climate of the settlement?—It is pretty much the same as Upper Canada.

3192. Not more severe?—Perhaps less so.

3193. Than Quebec, for instance?—The thermometer sinks to 47° below zero occasionally at Red River, as it does at Quebec; but the spring season is somewhat longer at Red River, I think, than even in Upper Canada.

3194. Mr. Roebuck.] Is the climate warmer than in Lower Canada, because there is a difference between Upper and Lower Canada?—I think it more resembles Upper Canada, although I have not spent a season in Upper Canada. I found it necessary to compare the two. I have a complete account of the colony, its products, and its climate, which, if I were allowed, I would lay before the Committee.

3195. Chairman.] Has it been prepared by yourself?—It was prepared by myself, and sent to the Horse Guards.

3196. A report?—A report. That report, I should think, there can be no objection to my making public, because it is altogether of a descriptive nature.

3197. Mr. Roebuck.] Can you tell me when the spring or the summer there begins?—The season opens about the first week in April, and closes about the middle of November; that is to say, the rivers, lakes and swamps freeze in the middle of November.

3198. That is about what occurs in Lower Canada?—I thought it was about that of Upper Canada; I may be wrong.

3199. Does the summer season close as early as the middle of November?—The summer season may be said to close in August, but the finest weather is what is called the Fall, which extends from August to the middle of November.

3200. When does the permanent snow fall?—It commences at the latter part of November, and is not off the ground until the first week in April.

3201. Had you an opportunity of seeing any agriculture while you were there?—A great deal.

3202. What sort of crops did they grow?—Oats, barley, and wheat, chiefly, but all sorts of vegetables.

3203. Did the wheat ripen?—In 90 days from sowing.

3204. It

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3204. It ripened very perfectly?—It was the finest wheat I ever saw.

3205. Was the soil fertile?—Along the immediate banks of the rivers, and extending for, perhaps, the breadth of two miles, no finer loamy soil could be seen, with a limestone foundation.

3206. Is it geologically limestone?—All.

3207. And wherever limestone is, there is fertile land, is not there?—I think that is the consequence.

3208. Do you know how far the limestone extends, looking at that map?—I have ascertained from servants of the Hudson's Bay Company that it extends, as a base of the whole prairie land, to the Rocky Mountains.

3209. So that, in fact, that part of the territory is fit for agriculture?—Quite so.

3210. And would make a good colony?—It might maintain millions.

3211. You talked about your forming a portion of the government there; did you ever take part in the administration of justice?—In nothing, excepting in those matters which affected my troops. I entered into no municipal questions, except respecting the sale of spirits.

3212. Could you form any opinion as to the efficiency of the administration of justice there?—I think justice was well administered, under the guidance of a very able man, who advised the Company's government.

3213. He was sole judge, I suppose; there was no jury?—Yes, there was a jury always, in those cases that were referred by the magistrates from the quarterly meeting which were decided by the Governor in Council, with the legal assistance of the recorder, Mr. Thom, and by a jury of the inhabitants.

3214. Supposing A. B. had been referred as you say, and was to be tried, who sat as judge; Mr. Thom?—The magistrates sat as a session, and had a chairman.

3215. Who was the chairman?—I think he was usually the Governor of the colony.

3216. Not the recorder?—Not the recorder; he was the legal adviser; something like our own recorder here in London, who sits under an alderman.

3217. You are rather mistaken there; the recorder is the judge in London?—Then I am wrong. I am but a soldier. The seat in which the recorder sat was not the ordinary judge's place.

3218. The judge was in fact the Governor?—The Governor sat, I think, in the place that a judge would sit in Westminster Hall.

3219. Who charged the jury?—I never was present at a trial on which there was a charge made.

3220. Then your opinion of the administration of justice is, I take it, formed upon hearsay?—It is so far from being hearsay that I was present at one trial by the magistrates, but Mr. Thom happened not to be present on that occasion.

3221. Was there a jury then?—There was no jury.

3222. So that trials do take place there without a jury?—Trials by the magistrates.

3223. What offence was that?—I think it was a breach of a municipal law. The case I know was for selling some rum, which had been given for a marriage feast, to some of my soldiers, which was contrary to a municipal law.

3224. Did you ever hear of any trials taking place of people for selling peltries to any other than the Company?—I have heard of such, because there was a soldier of my own on one occasion, who bought some paltry fur or other, and he was reported to me for having done it. I said that I did not see the offence distinctly, but they pointed out to me that it was against the law of the place, and of course I punished the soldier.

3225. Did you institute any inquiry into that matter?—I did ascertain from a serjeant and corporal who were present, as well as I now remember, but it is 10 years ago, that the man did purchase the article; he gave some tobacco for it.

3226. Are you at all aware whether the person who sold it was tried and punished also?—No, I know that he was not; he was an Indian; I know that he was not punished in any way.

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3227. Why was not he punished; was it because they could not catch him?—I think they attributed it to ignorance, and that he wanted tobacco. I believe they said that he did not know exactly that he was doing wrong. I believe it is a very common thing to exchange furs for tobacco there.

3228. But it was contrary to law?—Quite so.

3229. And you punished your soldier for buying?—I punished him for it because he knew that I had cautioned the men myself not to deal with the Indians.

3230. Besides that one particular case which you saw, did you ever see any other administration of justice?—No, the crimes are so very few; I think the magistrates only sat once while I was there.

3231. Then the only time that you saw any administration of justice, it was without a jury?—Yes.

3232. When you were there, had you much communication with the half-breeds?—A good deal.

3233. Did you ever hear any complaints from them of the state of things?—Yes; they were always grumbling.

3234. About what?—Chiefly that they were not allowed to import spirits.

3235. Did they ever tell you that?—They used to tell me that; that they wished that, and to be allowed to distil them.

3236. Do you mean to say that the half-breeds told you that the chief fault which they had to find with the Government was, that they would not allow them to import spirits?—Yes; they said it was very hard that they could not take spirits from St. Peter's, or distil them themselves, and therefore they alleged that to me as a reason why they would not cultivate barley or oats.

3237. Did not the same men suggest to you as a hardship, that they were not allowed to sell peltries?—Yes, they did indeed; that was the case also; but I think that their chief objection was what I first stated.

3238. But did they say that their chief objection was that?—Yes, certainly. If you will allow me, I would state how it arose. Many of these men I took upon myself to reason with about leaving their lands utterly uncultivated, and going out into the prairies to hunt buffaloes rather than looking after their crops, which would support them in the winter. They said that there was no use in growing corn, for they had no export for it. They also said that the little which they would wish to raise beyond what would subsist them, they wished to distil into spirits, which the Company would not allow. They thought that a great hardship, and they said that the Company not only forbade them to do it with their own corn, but that they would not let them import them. This made them, they said, quite miserable in the winter: this was the thing which they all harped upon.

3239. Was the non-export of their corn considered a grievance solely or mainly because they could not buy spirits with it?—No; they said that they did not cultivate their lands for two reasons; one was, that they could not export corn which they might raise beyond that required for their mere subsistence, and that even it was better for them to purchase the means of subsistence with the produce of the plains, the pemmican which they made, than to cultivate their lands, for if they grew corn they did not know what to do with it; they could not export it and they were not allowed to distil it. That is what these poor humble men said to me; of course I do not speak of it as being a reasonable statement.

3240. In your opinion is not that a reasonable statement?—No, but I think that that is the cause of their not cultivating their lands.

3241. If you were placed in the position of a man having 100 acres of land there?—They only had 50.

3242. And if you cultivated it and grew a good deal of corn, and you were not allowed to export it, and were not allowed to use it as you pleased, should you think that a grievance?—It was not that they were not allowed to export it, but that they could not export it; there were no means of exporting it.

3243. Was not it the law that they should not have any traffic?—The law was that they should not have any traffic.

3244. Then you might say that the law did not permit it?—They did not so state it to me; they stated that they could not export their corn.

3245. Was

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3245. Was not that the fact?—It was the fact.

3246. Lord Stanley.] You say the law forbids them to have any traffic; with whom?—With the Americans, or Indians in furs.

3247. Do you know what is the nearest point to which their corn could be sent?—Pembina is the nearest point on the American territory, which is 60 miles from Red River; but they can grow as much as they want there themselves. The only place where it could be sold would be at St. Peter's, at Fort Smelling, and that is a long distance; 400 miles perhaps.

3248. Is it likely that corn grown at the Red River would bear the expense of so long a journey, and be sold at a profit afterwards?—Certainly not.

3249. Even if the communications were improved?—Unless there was uninterrupted water communication I do not think it could pay.

3250. Mr. Roebuck.] Have you ever travelled in Minnesota?—No.

3251. Or any portion of the wild parts of America?—Yes; I have travelled some of the wild parts, for I went from Red River to Fort William, on Lake Superior.

3252. I mean in the United States?—No.

3253. You do not know then how the settlers of the new territories live?—Not at all.

3254. Do you suppose that persons at Red River would find any more difficulty than persons in Minnesota to live?—I should think not.

3255. And do you suppose that the same circumstances which attach to the people in Minnesota, and increase civilisation and colonisation there, would attach to the persons living in Red River, and would there increase civilisation and colonisation if permitted?—I believe the circumstances are different, for they have the Missouri River and the St. Peter's River in that direction, and a population has crept up close to them; but at Red River the nearest point of steam navigation for the colonists is Fort William, on Lake Superior, and that is a very long distance, the itinerary of which I have here, if I am allowed to produce it.

3256. Where does your route begin?—My route begins from Red River itself, Fort Garry, 26 miles from Lake Winnipeg.

3257. And it goes from thence to Lake Superior?—This itinerary of mine carries me to Sault Ste. Marie.

3258. That is between Lake Huron and Lake Superior?—Exactly; just before the fall of 20 feet takes place.

3259. How many miles is it from that fort which you mentioned to Lake Superior?—The whole distance is about 1,126 miles to Sault Ste. Marie.

3260. That is right across the lake, but I am talking of the distance from the western border of the lake to the fort?—Then 354 miles will have to be deducted from the 1,126.

3261. Do you mean to say that it is 700 miles from the Red River to Lake Superior?—Yes.

3262. The greater part of that I suppose could be travelled by water?—All by water, with the exception of the slight portages, no one of which exceeds three or four miles; three miles I think is the longest.

3263. Mr. Edward Ellice.] What sort of boats are there?—There are two kinds used by the traders; there is what they call a bateau, or a sort of barge, which is used from Fort Garry to Fort Frances; then from Fort Frances onward they have large canoes, which will hold 26 people easily.

3264. If you had had to take a gun from Fort William to Fort Garry, what sort of work would it have been?—I think very easy. I do not see any difficulty. I limit it to nine-pounders; a man cannot carry above 180 lbs.

3265. How much of that distance would men have had to carry that gun?—I have not summed up the distances of the portages here, but in my military report they are given; it is 10 years since I wrote that, and it only came into my possession last night.

[The Witness delivered in the following Paper:]

Colonel  
J. F. Crofton.

19 May 1857.

Route, by Lakes and Rivers, from Red River Colony to *Sault de Ste. Marie*, traversed by Colonel Crofton, 6th Foot, in 1847, the Portages and estimated Distances between each, and the several Points on the whole Water Line.

		MILES.	REMARKS.
Red River	Upper Fort Garry to - - - -	26	-- From Fort Garry to Fort Frances boats can be employed, as on the York Factory route. At Fort Frances canoes must be used as far as Fort William; barges can then be employed for passing through Lake Superior to Sault Ste. Marie.
	Lower Fort Garry - - - -	8	
	Indian Settlement - - - -	16	
Lake Winnipeg	Mouth of Red River - - - -	24	
	Pointe Grand Marais - - - -	23	
Winnipeg River	Fort Alexander, H. B. post - -	7	
	First Eau qui meut, portage $\frac{1}{2}$ mile -	8	
	Second - ditto - ditto $\frac{1}{2}$ " - -	$\frac{1}{2}$	
	Third - ditto - ditto $\frac{1}{2}$ " - -	3	
	Terre Blanche - ditto $\frac{1}{2}$ " - -	4	
	Petit Rache - ditto 100 yards -	$\frac{1}{2}$	
	Roche de Bonet, 1st portage, 1 mile -	5	
	Ditto - 2d ditto 150 yards -	1	
	Ditto - 3d ditto 50 " -	1	
	Lac de Bonet, 6 short portages -	14	
	White River - - - -	13	
	Grand Rapid - - - -	14	
	Barrière Portage, 50 yards -	7	
	Slave Falls, $\frac{1}{2}$ mile - - - -	5	
	Roche Brulé, 200 yards - - - -	1	
	Pointe aux Chenes, 150 yards - -	$\frac{1}{2}$	
	Pointe des Bois, $\frac{1}{2}$ mile - - - -	9	
	Chute à Jacho, 200 yards - - - -	26	
	Portage de l'Isle, $\frac{1}{2}$ mile - - - -	14	
	Wabasinning, Roman-catholic mission -	4	
	Cave Portage, $\frac{1}{2}$ mile - - - -	1	
	Crete Portage, 20 yards - - - -	$\frac{1}{2}$	
	Terre Blanche Portage, 200 yards -	3	
	Grande Décharge - - - -	20	
	Dallas Rapid - - - -	17	
Lake of the Woods	Rat Portage, H. B. C. post - - - -	26	
	Little Portage, 50 yards - - - -	35	
	Across the Traverse - - - -	7	
Lac la Pluie River	Sandy Knolls - - - -	20	
	Rivière aux Rapides - - - -	22	
	Long Sault - - - -	9	
	Manitou Rapid - - - -	17	
	The Forks - - - -	16	
Lac la Pluie	Fort Frances, H. B. C. post - - - -	40	-- Here canoes must be employed for troops.
	Little Creek - - - -	7	
Lac Macan	Portage Neuf - - - -	6	
Rivière Macan	Trois Portages - - - -	22	
Lac la Croix	Traverse - - - -	12	
Rivière Maligne	Portage de l'Isle - - - -	2 $\frac{1}{2}$	
	1st portage to 2d portage - - - -	3	
	2d ditto to 3d ditto - - - -	5	
	3d ditto to 4th ditto - - - -	$\frac{1}{2}$	
Sturgeon Lake	- - - -	25	
Lac Doré	Portage des deux Rivières, 1 mile -	3	
Lac des Morts	Portage des Morts, $\frac{1}{2}$ mile - - - -	18	
Lake Windego	Portage des François, 2 miles - -	16	
	Portage Pente, $\frac{1}{2}$ mile - - - -	9	
Mille Lac	Portage de Baril, $\frac{1}{2}$ mile - - - -	36	
Rivière Savanne	- - - -	20	
	Savanne Portage - - - -	1 $\frac{1}{2}$	
	Millieu Portage - - - -	$\frac{1}{4}$	
Height of Land	Prairie Portage - - - -	3	
Dog River	Prairie Portage, 260 yards - - - -	10	
	Jourdain Portage, 200 yards - - - -	3	
	Barrière Portage, 100 yards - - - -	27	

		MILES.	REMARKS.
Dog Lake	- - - - -	15	
Kaministiquia River	Dog Portage, 2 miles - - - - -	3 $\frac{1}{2}$	
	Little Dog Portage; $\frac{1}{4}$ mile - - - - -	3 $\frac{1}{2}$	
	Portage des Martres, 20 yards - - - - -	8	
	Décharge des Pinets - - - - -	6	
	Ditto des Trembles - - - - -	2	
	Ditto Mauvais - - - - -	1	
	Ditto Belanger - - - - -	4	
	Portage de Couteau, 300 yards - - - - -	1 $\frac{1}{2}$	
	Ditto Recousi, 500 yards - - - - -	1 $\frac{1}{2}$	
	Ditto de l'Isle, 100 yards - - - - -	1	
	Décharge, 50 yards - - - - -	1 $\frac{1}{2}$	
	Ecarté Portage, $\frac{1}{4}$ mile - - - - -	1 $\frac{1}{2}$	
	Mountain Portage, $\frac{1}{2}$ mile - - - - -	30	
Fort William -	* Hudson's Bay Port - - - - -	15	* If steamers shall
Lake Superior -	Tonnerre Point - - - - -	80	be established on Lake
	Les Ecrits - - - - -	15	Superior, the journey
	Traverse - - - - -	15	from Red River, by
	Pic Island - - - - -	18	canoe or barge, will
	Pic, H. B. C. Post - - - - -	30	end here, and save 354
	Otter's Head - - - - -	26	miles of dangerous
	Les Ecors - - - - -	25	navigation for small
	Bear Berry River - - - - -	6	boats.
	Gros Cap, 1st - - - - -	3	
	Michipicoton, H. B. C. Post - - - - -	21	
	Gargantua - - - - -	20	
	Montreal Island - - - - -	35	
	Mamaieusa - - - - -	30	
	Gros Cap, 2d - - - - -	6	
Sault Ste. Marie.	Point aux Pins, to Sault Ste. Marie - - - - -	9	
	TOTAL DISTANCE about - - - - -	1,125	

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N.B.—The distance marked opposite each place in this Itinerary is that between it and the place next under it.

The journey can be performed in 38 days by this route.

3266. Mr. Roebuck: I was asking you about the river; does the river fall into Lake Superior?—There is a height of land which divides the waters; the Kamenistiquia River falls from the height of land, and it is about 36 miles from the Kakabeka Fall to Fort William. The other rivers flow westward and empty into Lake Winnipeg, which ultimately empties itself by Hayes' and other Rivers into Hudson's Bay.

3267. So that part of the way you go against stream and part of the way with stream?—The main part of the way proceeding towards Canada is up stream.

3268. Could that stream, with a little difficulty, be rendered a navigable river for boats?—Of course, by damming it up in several places you might avoid a great many small portages; but practically, for the slight intercourse which there is, it is less labour to carry over the portages.

3269. But if there were a great population to come there in time, and a great traffic, could not they very easily canal the river?—Certainly.

3270. So that the country does not hold out any obstacles to colonisation?—Quite the contrary. All that tract is a lovely country by Lac la Pluie and the Lake of the Woods.

3271. Did you at all travel towards the Rocky Mountains during the 12 months you were there?—I rode myself long distances on the plains to ascertain what they were like.

3272. And what did you find them like?—If I may say so, a kind of land sea, with undulations, but I could have driven the lightest spring gig over it all, and I believe it extends 400 miles.

3273. Then there is no difficulty in communicating with that part of the country?—I believe you may drive a waggon from Red River to the Rocky Mountains. I have heard of those who have done it.

3274. Did you pay any attention to the circumstances which prevented that country from being colonised while you were there?—Yes, I did.



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3275. Did you come to any conclusions thereupon?—Yes, I did.

3276. What were they?—They were these: that it was remoteness and utter insularity which prevented people from settling there.

3277. Is it more remote than Oregon?—Oregon is close to the sea, and therefore it may be said to be the next parish to England in that sense.

3278. Is it more remote than Minnesota?—I do not know that country at all; but I should suppose that the navigation of the Missouri, and the Mississippi, and the branch rivers, renders that country perfectly reachable, if I may so express it, by everything.

3279. I suppose you have heard of Utah?—I have.

3280. That is separated, I take it, by a desert from the rest of the world?—I believe it is; but I know nothing of its communications with the other States.

3281. I suppose you have heard that it has become a great settlement?—It has.

3282. Being separated from the rest of the world, it has become a great settlement?—I am not at all acquainted with the nature of its separation from it. There may be circumstances which may render a great tract of country desert, which yet may offer facilities of approach; for instance, you may run a railway over a dead dry flat with great facility.

3283. Would there be any great difficulty in running a railway from Lake Superior to the Red River?—There are no insuperable difficulties in these days of engineering; probably the great difficulty would be the swamps.

3284. Lord Stanley.] You spoke of the difficulties of communication between the Sault Ste. Marie and the Red River; of what nature are those difficulties?—The want of anything better than a mere foot-track, in which you go in Indian file, is the great difficulty over the portages, and having to carry everything, and divide everything into weights of 90 lbs. each.

3285. Do you know what the number of the portages is between Red River and Lake Superior?—Yes, I could tell the exact number, if I were to count them on this paper.

3286. Mr. Edward Ellice.] How many breaks are there in the navigation?—The whole distance from Sault Ste. Marie does not much exceed 1,100 miles; it can be done in 30 days. I am sorry to say that these papers only came into my hands last night, and consequently I am not so well acquainted with them as I was when I wrote them; I must count the number of portages: some of them are so exceedingly short as to be only 20 yards; I do not know that I should include them.

3287. You had better put in all the interruptions to the navigation?—They are all enumerated here, above 60.

3288. Lord Stanley.] Are any of those portages of considerable length?—The longest, I think, is  $2\frac{1}{2}$  miles, to three miles.

3289. Over a height of land?—Over the height of land.

3290. At a considerable elevation therefore above the river?—I took the levels myself, 131 feet; I remember that distinctly, for I took the level above and below.

3291. Then at that point the navigation must necessarily be interrupted?—Yes; it is the great Kakabeka Fall; it is a little higher even than Niagara.

3292. Therefore no engineering skill and no reasonable amount of expenditure would produce an unbroken navigation between Red River and the waters of Lake Superior?—Not from that point, but there may be in the United States territory a means of doing it; from the extreme western point of Lake Superior, I believe the land slopes down there to the southward.

3293. But you are not aware of any such?—No; I have heard so; but the great difficulties in that case are in the swamps; the upper land is comparatively dry.

3294. Do you know anything of the country to the north of Lake Superior, from personal knowledge?—Nothing whatever; I merely coasted the northern side; it is full of minerals, for I knocked off silver and copper myself with an axe, cropping out.

3295. While you were at Red River did you hear much desire expressed on the part of the inhabitants for an improved communication with Canada?—Yes, I did.

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3296. By what class of persons; the half-breeds or the white settlers?—I think by the Scotch settlers chiefly; I say the Scotch settlers, because I chiefly communicated with them.

3297. Was there upon their minds an impression that those communications had been neglected, and that more might have been done by the Government of the country than had been done?—I dare say that was a very general impression.

3298. You have spoken of a prohibition to trade as existing in the case of the Red River settlers; does that prohibition extend to all articles, or is it limited to the trade in furs?—I think furs and spirits.

3299. Is there any prohibition to a Red River settler to send his grain to any place to which he can transport it?—I think not; I never heard of it.

3300. Mr. J. H. Gurney.] You mentioned that the colonists at the Red River had only 50 acres of land each?—That is the limit.

3301. That is to say, the Company will not grant them any larger amount?—Since the settlement came into their possession, out of Lord Selkirk's hands, I think that has been the municipal rule; but there may have been exceptions, though I am not aware of a single one, and I knew every man's allotment.

3302. Did you meet with instances in which one person had sold his allotment to another?—Many instances of subdivision.

3303. But not of aggregation?—None that I can at all charge my memory with.

3304. Mr. Roebuck.] Do you know the state of the law, whether a person could sell his land without permission of the Company?—I think there was a sort of formal paper put in for permission to subdivide it.

3305. I mean to sell it?—Yes, he might sell the whole lot.

3306. Without permission of the Company?—I think so.

3307. That is your impression?—That is my impression, clearly; I really never thought upon the point before; but I know that in subdividing it they had to apply.

3308. Mr. Gregson.] Are those lots generally well cultivated?—As far as regards the Scotch settlers, admirably.

3309. Are you aware that they can sell the produce of the farms to the Company?—Yes.

3310. To any extent?—That is their market, and sole market.

3311. Mr. Edward Ellice.] Do you know any case where a settler, having a lot of 50 acres, has been refused an additional lot when he has asked for it?—I do not remember a case.

3312. Your observations have chiefly, I think, applied to the territory south of 50°; the parallel of 50° runs through the Red River Settlement?—It does.

3313. I think your observations have generally been as to the territory south of that?—Yes. I came down from Fort York, in Hudson's Bay, and all that line I have a map of, which was drawn by my own hand, with all the bearings of every point on the river; therefore I know the route accurately.

3314. But I am speaking of your observations with regard to the fertility of the soil and the climate: your observations have chiefly applied to the territory south of 50°?—Yes; at actually the Red River colony itself, which is, if I may so describe it, the fork of the two rivers, the Assiniboine and the Red River. If you took a compass, with a radius of 50 miles, it would describe the whole of the Red River colony.

3315. That is the government of Assiniboia?—It is.

3316. What sort of a country is it to the north of that, on Lake Winnipeg, at Norway House, and all that territory; what sort of land is it?—You might grow corn there, but the season closes sooner.

3317. During the time you were in Red River, or in your progress down between York and Red River, did you go at all into the interior; did you see much of the country?—I went as far as a horse would take me occasionally. I have never been a night out from the fort, with one exception.

3318. With regard to the complaints that were made by the half-breeds of the restrictions on spirits, do you know their object in wanting to distil spirits and possess spirits?—I think they had two objects; one was for their own consumption, and another was, probably, to surreptitiously trade with them.

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3319. That is to say, to trade in furs with them?—To trade in furs with the Indians.

3320. From the experience which you have had, is it your opinion that the trade in spirits would be very prejudicial to the Indians?—I am sure of it.

3321. You think that it would be a very unwise thing to remove the restriction upon the sale of spirits?—I do.

3322. What are your reasons for thinking so?—Because since the junction of the two companies, the North-West Company and the Hudson's Bay Company, the issue of spirits in barter for furs gradually ceased, and I think, about ten years before I arrived in the colony, it had altogether ceased, and from that time the Indian race were increasing, as shown by the census; before that they had been decreasing.

3323. Mr. Roebuck.] Of what census do you speak?—A census that the Company make, I think, every five or six years, collected from the heads and chiefs of the Indians, who make a return of their numbers to them.

3324. Sir John Pakington.] Over what extent of country does that census range?—I believe from 49°, as far as they have trading posts to the north.

3325. And for the whole country, east and west?—I think so.

3326. Mr. Edward Ellice.] While you were there did you hear any complaints against the Company for bartering spirits, or giving spirits to the Indians?—I never heard of any complaint against the Company for that till I came to this country.

3327. As far as your observation went, the rule of the Company with regard to the restriction of spirits was adhered to?—Quite so, as far as I know.

3328. With regard to the administration of justice, while you were there did you hear any complaints as regarded the administration of justice under the Company?—No, I never heard a word.

3329. Do you think, from your own personal observation, that, practically, justice was administered?—I am sure of it, as far as I know; but there really was no justice to administer; there was no crime.

3330. To what do you attribute that absence of crime, because in these places generally there is crime?—I think to the absence of spirits.

3331. As far as your knowledge extends in other respects, did the rule of the Hudson's Bay Company over the population there appear to you to be oppressive?—Quite the contrary.

3332. I suppose you must have heard the matter talked over; do you think there is any other better way of keeping that country or governing the natives than by this rule of the Hudson's Bay Company?—By the "natives" am I to understand Indians?

3333. The Indians and the half-breeds?—I think the Hudson's Bay Company have an experience of them that no other body can have, and I think they managed them exceedingly well while I was there.

3334. What do you suppose would be the result of having any loose form of government among the Indians; if they were allowed to do as they liked?—I think they would kill one another; the Americans would soon use them up if they were there.

3335. It is hardly necessary to ask you; but is there any other better mode of governing the country which you can suggest, with your personal experience?—I do not know that under the circumstances, the isolated position of that colony, you could have a much better government than its municipal government.

3336. Did you reside in Canada at all?—I did not reside there.

3337. Did you stay in Canada at all?—A short time; I had a good deal of communication when I was there relative to those very parts which we are now speaking of; chiefly with Lord Elgin.

3338. Do you know whether there was any great desire expressed in Canada with regard to that territory?—Not 10 years ago when I was there.

3339. Mr. Roebuck.] You have been asked whether that is the best government for that country; did you ever turn your mind to the colonising of the country; whether the existing government is the best government for filling it with white people?—I do not think it is.

3340. Is it not a government which prohibits white people from coming there?—I am not aware of any prohibition.

3341. Does not every government which maintains fur hunting keep the country wild?—They wish to keep all the country wild I believe which is north of

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of 52°, but I believe below that; between that and 49°, they would be very glad if it was as well cultivated and peopled as in Canada; that is to say, the Hudson's Bay Company have always expressed that opinion to me.

3342. So that, if we take the Hudson's Bay Company by their expressions, they would be glad to see that part of the country peopled with a white population?—I am quite sure of it, and even the Governor, Sir George Simpson, upon one occasion, I may fairly say, said to me that he personally would be glad to see the Red River in the possession of the Crown.

3343. If that government be not a good government for the creation of a colony in that part of the world, it is not the government desired by the Hudson's Bay Company themselves?—I do not understand the question.

3344. They desire to colonise the country, do not they?—They expressed that wish.

3345. Then if their government be not the best government for colonising the country, it is not the government which they really desire?—I really do not know. I am very stupid, for I do not comprehend the gist of the question.

3346. Will you again turn your attention to the tract between Red River and the western portion of Lake Superior; have you ever travelled from Montreal to Kingston by river?—I have gone from Kingston to Montreal.

3347. By river?—Yes, I have.

3348. Were there any canals at the time when you went up there?—I did not go through any canal.

3349. Did you go in a bateau?—I did not.

3350. How did you go?—I embarked at Kingston.

3351. I am talking of going from Montreal to Kingston?—I did not proceed that way.

3352. It is exactly the opposite way?—Yes.

3353. Did you ever go from Montreal to Kingston?—I never went from Montreal to Kingston, but I went from Kingston to Montreal.

3354. Then you descended the river?—I did.

3355. In what?—I think it was in a steamer, or occasionally steaming.

3356. You did not know that river before steamers were upon it?—No.

3357. Had you any opportunity of seeing the difficulties of the rapids of the St. Lawrence?—I saw no difficulty, I went down with great facility.

3358. Therefore you cannot give me an answer to this question, whether there be not as many obstacles between Kingston and Montreal, by way of the river, as between the western point of Lake Superior and Red River?—The waters are quite of a different character: the one is exceedingly deep water, though very rapid; the Quebec River, in fact, is the great river that flows down; but the other is comparatively shallow, excepting in the lakes, and broken up between rocks where you have to haul or pole the boats and canoes, and these obstacles are almost innumerable.

3359. Did you ever see a bateau taken up the St. Lawrence?—No.

3360. You have seen a French bateau, I suppose?—Many.

3361. You know that they do not draw above two inches of water when they are not laden?—Very few.

3362. Those bateaux went up the River St. Lawrence?—They did.

3363. They were pushed up close by the shore over the rapids, where the water was very shallow?—Yes, but they were not interrupted by rocks; there was a free navigation though it was a flow down of water.

3364. Is that your statement to me that they were not interrupted by rocks, because I have been up that river very often, and I know that there are rocks?—I speak of what I encountered.

3365. You did not encounter any rocks, because you went down the river?—I went down the river by steam, and therefore I cannot speak of the difficulties up that river; I am speaking of the difficulties of the rivers between Fort William and Lake Winnipeg.

3366. Would there be any difficulty in making roads over that portage?—Not the slightest.

3367. If there were good roads and waggons over the portage there would be no great difficulty?—It would be hardly worth while hauling in wheel carriages for 20, 25, or 30 yards. The water is kept up till it comes to a narrow place, perhaps between two rocks, and there it pours down with a vast force, and you must pole and haul, if you can, or carry; that is the nature of the navigation.

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3368. Do not some of the portages extend some miles?—I think the longest is three miles.

3369. Would it not be an advantage to have a road there?—They have an old road upon that, made of wood; it was made by the old North-West Company, and it is there still.

3370. Have they any waggons there?—No, they carry all on the back.

3371. But if they had waggons I suppose they could carry goods very easily?—They might make a tram; there is no difficulty in making it; there is plenty of wood; but where would you get the horses and how keep them.

3372. There is no difficulty in making a communication between Red River and Lake Superior?—There is no difficulty; I admit it at once.

3373. Sir John Pakington.] What sort of communication do you mean; land or water?—Only by water; you cannot go over the swamps.

3374. Mr. Edward Ellice.] You cannot do it by land?—No, it is impossible; you cannot even send across a post, excepting in winter, when the country is frozen.

3375. Sir John Pakington.] When you said, in answer to the Honourable Member's question, that there would be no difficulty in making a road between Red River and Lake Superior, did you refer to a means of communication by water?—I meant by a road there, a route; I should have used the word route.

3376. Of what sort?—By water, carrying over the portages.

3377. You have been questioned about the use of waggons; would there be any difficulty, in your opinion, in making such a road from Red River to Lake Superior as would make it possible to convey goods by waggons?—I think it utterly impossible.

3378. Why?—On account of the swamps, and there being so many lakes and rivers to cross.

3379. Are those swamps of great extent?—I believe the great face of the country to the southward of the rivers is swamp.

3380. Do you mean that the natural impediments are so great on both sides of the river that you think it would be impossible to make a continuous regular road?—A continuous regular road would be impossible; many parts would admit of it, but the major part is swamp.

3381. The major part of the whole distance?—Yes, certainly.

3382. Mr. Roebuck.] But where you could not make a road, could not you go by water?—Certainly.

3383. So that between water and road you could make a good route?—A very good one; I would undertake to take troops along it.

3384. Mr. Edward Ellice.] Where would the animals come from to draw the carriages?—I started that difficulty.

3385. Sir John Pakington.] I suppose there would be no difficulty in conveying animals there?—None.

3386. Or keeping them when they were there?—You might do it by establishing posts, of course, along the rivers, and the Company have establishments; for instance, at Fort Frances, and at Rat Portage, and several other places, the Company have stations, and there they have a few sheep and some cattle, because I have had fresh meat there from them.

3387. Mr. Edward Ellice.] This route would be about 772 miles?—About that.

3388. And I suppose that, although it could be made good, there would be considerable trouble in making it?—You cannot make a continuous road; you can make a route; I would undertake to take my regiment by it.

3389. Not under present circumstances?—Yes; I did worse than that, for I took artillery from Fort York, in Hudson's Bay, to Red River, 700 miles by the compass, over lakes and rivers; and that is a much worse route than the other.

3390. Do you mean to say that under present circumstances the route from Fort William to Fort Garry is a better route for military to go than from Fort York?—I am quite sure of it, for I have gone both.

3391. Sir John Pakington.] Did you say that you took artillery from Fort York to Red River?—I did.

3392. What

3392. What distance is that?—It is about 736 miles.

3393. How did you convey it?—We carried the guns in canvas; we took the guns off their carriages, we had rope handles and carrying straps, and between them so carried the guns.

3394. Mr. Roebuck.] I wish you to direct your attention to the distance between Fort William and Red River Settlement; you say it is 700 miles?—Seven hundred and seventy-two, I think. I find a remark on this very paper which was made at the time, and which is as follows: "If steamers shall be established on Lake Superior, the journey from Red River by canoe or barge will end at Fort William, and save 354 miles of dangerous navigation for small boats." The whole distance between Red River and Sault Ste. Marie is 1,126 miles. Sault Ste. Marie is at the efflux of Lake Superior.

3395. Do you say that the Red River Settlement is 700 miles from Fort William?—It is.

3396. Sir John Pakington.] By the map, it appears to be twice as far from Fort York down to Red River?—I can only say that I paced the greater part of the portages.

[They are enumerated on this Paper].

LIST of PORTAGES occurring between Fort York, Hudson's Bay, and Sea River, from which the Navigation is free from Rapids to Lower Fort Garry on Red River.

Name of Portage.	Nature of Ground.	Length in Fathoms.	Name of Portage.	Nature of Ground.	Length in Fathoms.
Rock Portage - - -	Hard, dry, even -	48	Long-water Creek -	Swampy - - -	521
Borrowicks - - -	Rocky and swampy	39	Second " " - - -	Swampy - - -	68
White Mud - - -	Swampy - - -	43	Upper " " - - -	Swampy - - -	53
Point of Rocks - -	Hard, but rugged -	61	Front Fall - - -	Rocky, even - -	49
Brassa - - -	Hard and uneven -	482	Creek Fall - - -	Rocky and swampy	31
Lower Burntwood -	Dry and even - -	476	Knife Portage - - -	Swampy - - -	59
Morgans - - -	Rocky, broken - -	266	Upper " " - - -	Swampy - - -	40
Upper Burntwood -	Dry, rather uneven	59	Lower " " - - -	Swampy - - -	38
Rocky Ledge - - -	Hard and rugged -	83	Moore's - - -	Swampy - - -	56
Mossy - - -	Swampy and slippery.	503	Crooked Spout - -	Rocky and swampy	36
Smoothrock - - -	Hard, even - - -	347	Upper - - -	Swampy - - -	42
First Portage - - -	Swampy - - -	42	Hill Portage - - -	Rocky and rugged	243
Second Portage - -	Swampy - - -	58	Upper " " - - -	Rocky and rugged	57
Devil's - - -	Hard, difficult landing.	173	Whitefall, Robinson's	Level, but slippery	1,700
Ground-water Creek	Swampy - - -	51	Painted Stone - -	Rocky, even - -	16
Lower " " - - -	Swampy - - -	62	First Dam - - -	Hard, stony - -	28
			Second Dam - - -	Hard, stony - -	25
			Sea River - - -	Rocky, even - -	63

These 34 Portages are the only impediments on the water route over which lading, and generally the boats also, have to be carried.

Upper Fort Garry, 7 November 1846.

J. Crofton, Lieutenant-Colonel,  
Commanding Troops, H. B. Territory.

3397. Mr. Matheson.] You are not speaking of a straight line?—No; here are the two routes which I have: I must adhere to their evidence.

3398. Chairman.] Had you any difficulty in supporting your men at the Red River; did they get plenty of provisions?—Plenty.

3399. Were they very expensive?—No; meat was 2 d. a pound.

3400. And was your flour abundant?—Yes. I have a list of the prices of almost every article sold in the Red River.

3401. There was no difficulty in supporting the men?—None whatever.

3402. Were your men healthy?—I had not even one casualty excepting a man drowned in one of the rivers.

3403. Mr. Kinnaird.] How many men had you?—383 persons, I think, made the total number, as well as my memory carries me.

3404. And there was no casualty?—No.

3405. Mr. Gregson.] During what length of time was that?—A year and two months.

3406. Sir John Pakington.] Are you aware that Sir George Simpson in his evidence stated that from Lake Winnipeg to Lake Superior was 500 miles?—No, he was talking of course as the crow flies.

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3407. Mr *Edward Ellice*.] What means did you take to arrive at those distances?—I merely estimated them at the rate at which we went; I also was pleased when I arrived in Canada to find at the Company's Factory at La Chine that my distances were only different from theirs 11 miles; I paced the portages as a soldier would; and all those distances which I give you are the correct distances.

3408. Sir *John Pakington*.] I find that Sir George Simpson, at No. 793, gave the following answer to a question in this Committee Room; he was asked "What is the distance from the southern part of Lake Winnipeg to Fort William on Lake Superior?—About 500 miles, I think; from Lake Superior to Lake Winnipeg is about 500 miles of bad canoe navigation, with 66 portages, varying in length from 100 yards to three and a half miles." It is quite clear from that answer that Sir George Simpson was not calculating the distance as the crow flies, but that he took the windings of the rivers; how do you reconcile that answer of Sir George Simpson's with the opinion which you have expressed?—I reconcile it in this way, that Sir George started from a different point to me, at least as far as those distances go; I count from Fort Garry and Sir George probably counts from Fort Alexander.

3409. The distance from Lake Winnipeg to Fort William I apprehend is greater than the distance from Fort Garry to Fort William, is it not?—No, the distance from Fort Garry to Fort William is upwards of 86 miles more; from Lake Winnipeg to Fort William is 86 to 90 miles less than from Red River.

3410. Mr. *Christy*.] I think you were Governor of the Red River Settlement?—No; I had nothing to do with the Government.

3411. During the year that you were there?—No, I had nothing to say to it while I commanded the troops; I was merely a soldier; I had nothing to do with the civil government.

3412. On your return to England you were called upon by the Secretary for the Colonies to report upon certain complaints made by settlers in Hudson's Bay?—Yes; I remember that perfectly well; I was quartered at Fermoy, and that question was afterwards discussed in Parliament. As well as I remember, it was Mr. Isbister's memorial.

3413. You made nine or ten answers, I think, to certain questions?—Yes; I remember perfectly making replies to Sir Benjamin Hawes, then Mr. Hawes.

3414. Do you adhere to the opinions which you then gave?—I am sure I must, for I took great pains to be accurate then.

3415. Were you resident in any other part of the country except in the Red River?—No, not resident.

3416. Do you consider that the period for which you were in the Red River was sufficient to enable you to form a correct opinion of the country, in reference to the points which you stated in your report to the Secretary of State?—It was limited to Red River, and to form it I think I was long enough there; of course I cannot say what took place in distant places.

3417. You could not say what took place in other remote parts of the country?—Not except from hearsay.

3418. With reference to the condition of the Indians, your observation, I suppose, was directed to their condition in the Red River settlement?—And on the route; I had occasionally communications with them through an interpreter, and they never made any complaints to me, or anything of that nature; they chiefly begged tobacco from me.

3419. Did you take any means to ascertain the condition of the Indians, except in the settlement of the Red River?—At Fort York I did; the Indians in and about Fort York I was interested in, and during the short time that I was there I inquired a great deal about them.

3420. Did the condition of the Indians in the Red River and that of the Indians in the remote districts through which you travelled, strike you as being very different?—There was no difference; they are all much alike, excepting that they differ as to tribes and language.

3421. You speak of the influence of the missionaries in reference to their condition in the answers which you made to the Secretary of State?—I do. I knew the Rev. Mr. Smithers very well, who served an Indian settlement about nine miles below the lower fort of Red River, and I used to hear a great deal from him, and with great interest, and he always spoke in the highest terms of the arrangements made for their benefit.

3422. Can

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3422. Can you inform the Committee whether it is your opinion that the condition of the natives in the Red River settlement is much superior, where they are under the influence of the missionaries, to their condition in remote and distant parts of the country through which you have travelled?—Measuring their condition by my own ideas of comfort and happiness, I should say it was much better in the Red River settlement.

3423. I think there were nine questions put to you, and you gave answers to all those in your report to the Secretary of State?—I have no copy of them. I lost or was robbed of most of my papers when I was in Ireland, and among the rest a copy of those answers relating to Mr. Isbister's memorial, and therefore I am depending upon my memory entirely for it.

3424. You know that they were furnished to the House of Commons?—I heard so, but never saw them.

3425. And that they have been printed?—I never heard that. I never saw them.

3426. Does your memory serve you with reference to the queries which were put to you? I find that to nine questions only one answer related to the Red River colony particularly; there were nine complaints?—It is now nine or ten years ago. If you ask me the questions which were then put to me I will answer them now as I did then, I hope.

3427. Then you cannot tell me upon what information the answers to the other questions were based?—I really do not now know the questions that were put to me. I cannot remember what they were; if you ask them over again of me I will try and answer them, but I am entirely in the hands of the Committee upon that point, for I have no papers.

3428. I suppose the information which you derived, and from which you gave the answers to the Secretary of State, was principally from servants of the Company, and persons connected with the Company?—It was from my journal; it was from materials collected without any object except private satisfaction, and which were in the form of a journal, which I unfortunately lost among my other papers.

3429. You cannot furnish the Committee with any proof of the evidence which was given by the Bishop of Montreal, whom you quoted?—I do remember quoting his little book.

3430. And various other quotations which you gave?—I do not recollect what quotations they were; probably it was about the religious position of the colonists. I have entered into that very fully in my report on the colony.

3431. You have mentioned that a census was taken by the Hudson's Bay Company of the native population periodically?—Yes.

3432. Does the report which you have referred to contain a copy of that census?—It does not of that, but it contains the census of Red River at three or four different periods.

3433. You have given information to the Committee with reference to a census of the native population; the increase or decrease of the Indians?—Just so; that is done by the Hudson's Bay Company, and no doubt a communication to them would obtain it.

3434. It is not contained in your report?—No; I had not access to the figures excepting to look at them.

3435. Did you ever visit any of the missionary stations which were not in the Red River?—One at Norway House.

3436. In what state was that?—When I saw it there were but few people there, for they were out fishing and hunting at the open season, but I understand that in the winter season they are numerous.

3437. Mr. Kinnaird.] But from your experience your impression was that the missionaries were very useful to the Indians?—I believe exceedingly so.

3438. You visited Mr. Smethers's missionary station several times?—Twice; I went on Sundays there.

3439. Mr. Christy.] Do you know who pays the missionaries; to whom they are responsible?—I think to the Missionary Society, but the Company give them an allowance of some kind also; I cannot charge my memory with what the Company do give them, but probably you will get evidence upon that point from some of the clergymen, if they are in London.



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D.C.L.

Rear-Admiral Sir George Back, F.R.S., D.C.L., called in; and Examined.

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3440. *Chairman.*] ARE you acquainted with the Hudson's Bay territory?—To a certain extent I am; but I perhaps may be allowed to mention that I have not been there for 22 years.

3441. Will you state how you came to visit it, and to what part of it you went?—I first went with my friend Sir John Franklin, on an expedition of discovery, in 1819 to 1822. I went secondly on another expedition with Sir John Franklin, from 1825 to the autumn of 1827; and, thirdly, on an expedition which I commanded myself, in search of Sir John Ross and his companions, who were then supposed to have been lost, making altogether, I believe, about nine years that I was engaged in those expeditions.

3442. Mr. Kinnaird.] What was the period of the last expedition?—From 1833 to the end of 1835.

3443. Sir John Pakington.] 1835 was the last year that you were in that part of the world?—Yes.

3444. *Chairman.*] Will you tell us generally the routes of those three expeditions?—The first route was from York Factory to Lake Winnipeg, Cumberland House, Fort Chipewyan, Great Slave Lake, Fort Enterprise, Coppermine River, along the coast to Point Turnagain, thence to the river Hood, across the barren lands to Fort Enterprise and Great Slave Lake.

3445. What is the most northerly point of that route?—The most northerly point is on the coast near Point Turnagain, I think, in latitude 68°, between Coppermine River and Point Turnagain. Then we returned across the country, having no provision; and it may be in the mind of the Committee that more than one-half of the unfortunate people perished from want of food.

3446. Where did you return to?—To England, by York Factory.

3447. From Great Slave Lake?—By the usual route; exactly the same route.

3448. That was the first expedition?—Yes.

3449. Sir John Pakington.] That was entirely a land expedition?—Yes; so were all these three expeditions; I have been on two others, but they were by sea.

3450. *Chairman.*] Will you describe the route of the second expedition?—The second expedition was to Toronto, then called York, to Penetangushine, Sault Ste. Marie, Fort William (Lake Superior), the Rainy Lake, the Lake of the Woods, Fort Alexander (Lake Winnipeg), to the Grand Rapid. Up again from the Grand Rapid to Great Slave Lake by the same route as before. From Great Slave Lake down the Mackenzie River past Fort Simpson to Great Bear River; to Great Bear Lake, to Fort Franklin: thence to the western mouth of the Mackenzie River along the coast to Return Reef, being at that time but 140 miles from Her Majesty's ship "Blossom," then commanded by the late Admiral Beechy, the late President of the Geographical Society. I returned again to Norway House by the same route, and from Norway House to York Factory.

3451. And from thence to England?—And from thence to England.

3452. Sir John Pakington.] The "Blossom" had entered by Behring's Straits?—Yes.

3453. What time did that trip occupy?—From 1825 to the end of 1827.

3454. How many months?—Two years and three quarters altogether. Then the third expedition was from England to New York; to Montreal; La Chine; Lake Nipissing; Lake Huron, along the north shore of Lake Superior, and by exactly the same route as before to the Grand Rapid, that is to say, to the Saskatchewan River; thence to Great Slave Lake as before. Then along the eastern part of Great Slave Lake, which is new, to its extremity, where I built a fort, called Fort Reliance. Thence across a new country. With the exception of one or two points crossed by Hearne, I discovered the upper part of the Great Fish River; the sources, in fact, of the Great Fish River, or the one named after myself, and I descended it to the sea. Unable to get further, I returned by the same route precisely to Canada.

3455. You followed the Fish River to the sea?—Yes, I discovered it; that expedition occupied about two years and seven months.

3456. *Chairman.*] Then you have been pretty well all over the northern parts of the Hudson's Bay territory?—By just simply the routes which I have mentioned to you.

3457. How

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3457. How did you subsist during these journies?—On each occasion the expedition was aided by the Hudson's Bay Company, and supplied by that Company with pemican, and other articles for traffic with the Indians; simply for food, to the extent that was required.

3458. How did you travel?—In canoes and boats, but chiefly in canoes, except along the coast.

3459. And there you walked, I suppose?—No, we had built boats.

3460. Sir John Pakington.] In fact you travelled everywhere by water?—All by water; except in crossing the barren lands and on detached services.

3461. That applies to all three of those journies?—Yes.

3462. Chairman.] What did you do during the winter months?—In the winter we were plentifully occupied in making observations, and working up surveys.

3463. Did you spend your time in the Factories of the Company?—No, not at all; we built our own establishments, log houses with stores and places for our men.

3464. What number of men did you take with you generally?—From 20 to 22 on the former expeditions, on the latter not so many.

3465. Sir John Pakington.] Do you mean that that was the whole strength of your party?—Twenty-two altogether.

3466. Chairman.] Were they Europeans or Indians?—Chiefly Canadian voyageurs; we had some three or four Europeans with us; on the last occasion I had four artillerymen, and very excellent men they were, who volunteered from Montreal.

3467. Were you much troubled by the Indians in these expeditions?—Not in the least.

3468. During the whole time?—During the whole time.

3469. Sir John Pakington.] Did you see many?—I saw the Indians who frequented our establishments for the purpose of barter, chiefly for providing us with provisions; but they came in great numbers, that is to say, 300 or 400 at the utmost, and from that down to half-a-dozen.

3470. Did you always remain stationary during the winter months at those log-houses which you erected?—Yes, for the purpose of making magnetical and other observations, which at that time were of great importance to science.

3471. Chairman.] Can you give the Committee any account of the climate of these regions?—There is a great resemblance in the climate of those places, Great Bear Lake, Fort Franklin, Fort Enterprise, and Fort Reliance. The extreme temperatures at the two former places, as far as I remember (for really I have not referred to it), were 52 minus zero, and 57 minus zero; but at Fort Reliance, a place which I built myself, the minimum of five thermometers was 70° below zero, or 102° below the freezing point of Fahrenheit.

3472. Sir John Pakington.] That was the maximum?—Yes.

3473. How long did that last?—Not quite a day.

3474. Chairman.] What degree of latitude was that in?—62° 46'.

3475. Sir John Pakington.] At what season of the year was it that your thermometer reached that very low temperature?—In January; I do not exactly recollect the date; but I believe it was the 17th.

3476. Mr. Christy.] Was that the year when you wintered on the Fish River?—We did not winter on the Great Fish River; it is scarcely possible to do so. There is no wood on that river; therefore you cannot winter there.

3477. Chairman.] What opinion did you form of the soil of this country; its power of producing?—At the extreme north you get beyond the latitude of the woods; but at Fort Reliance there was wood, more or less stunted, pine, and some others of considerable growth. The soil itself was gravelly, with a mossy surface, but sterile, certainly.

3478. Were you at the Red River Settlement?—I was never at Red River.

3479. Were you on the Saskatchewan?—On the Saskatchewan I passed a short time at Cumberland House and Pine Island Lake in the autumn of 1819 with my friend Franklin; at that time there was merely a garden for herbs, and a little barley was grown, but nothing beyond; that was in 1819 and 1820.

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3480. With respect to communication between the Hudson's Bay territory and Europe, you have been all the different ways, have you not?—I have been merely the routes which I have mentioned.

3481. You have been from York Factory?—Yes.

3482. From Fort William?—Yes.

3483. And from Canada by Lake Nipissing?—Yes.

3484. What do you say of those three routes; which is the best in order to get to the neighbourhood of Lake Winnipeg and the Red River?—Both routes are bad, but if I were to prefer the one route to the other, that is to say, if I had anything to convey to Red River, I should unquestionably prefer the route from York Factory.

3485. Rather than from Fort William?—Rather than from Fort William by the Lake of the Woods.

3486. Sir John Pakington.] Why?—There is an easier access; there is less difficulty in portages, with the exception of one or two falls; but I should say there is less difficulty, and there are fewer impediments.

3487. Chairman.] What opinion did you form of the government of the Hudson's Bay Company from what you saw of its effects?—In the first place, when we went there, there were two companies; they were then in a very disturbed state, and it was impossible for us to form any opinion; we ourselves were not acquainted with the government of the Company; afterwards, as far as I saw of the conduct of the Hudson's Bay Company throughout the line of route which I travelled, and I frequently resided at the different establishments with the chief factors and other influential servants of that Company, I saw nothing but the utmost kindness to the Indians and fairness in dealing; I never knew an Indian in want turned away without his wants being supplied, whether he had furs to give in return or not; indeed, I have seen strong instances of great benevolence on the part of the Hudson's Bay officers.

3488. Can you form any opinion of the fitness of that country for colonisation?—None whatever; it never entered into one's imagination 22 years ago.

3489. Sir John Pakington.] I presume that during the greater portion of these periods of between two and three years which each of these excursions occupied, you were stationary on account of weather, were you not?—Yes.

3490. Can you give the Committee any approximation to the proportion of time in each of those trips that you were actually travelling?—Yes; about from the middle of April to the end of October.

3491. Each year?—Each year.

3492. The rest of the year you were stationary?—Yes; we were sufficiently occupied in making observations and procuring food, and that with difficulty.

3493. How did you procure food through those long winters?—It was precisely there where the aid of the Hudson's Bay Company came in to us so opportunely. The Indians known to them came to our establishments, where, I ought to mention, that we had one of the officers of the Hudson's Bay Company attached to the expedition.

3494. Always?—Always; and this officer conducted the trade entirely, we ourselves not at all interfering in it.

3495. Did you see much of the Indians during these various excursions?—From time to time.

3496. Should you say, considering the nature of your object, and the portions of country which you explored, that you had any good means of judging whether or not the government of the Hudson's Bay Company was beneficial to those districts?—Decidedly so, inasmuch as the Indians must have starved without the aid of the Hudson's Bay Company.

3497. Did any instances come under your observation of great suffering or privation on the part of the Indians during the winter months?—I heard of their suffering.

3498. Did you see anything of the sort?—I saw none myself, save and except the few Indians who resorted to Fort Reliance and to Fort Franklin, and indeed to Fort Enterprise, seeking relief from our stores.

3499. Were you at all at Fort Reliance during the summer months?—Only in the spring and autumn; the intervening part was necessarily occupied in exploring the country to and from the coast.

3500. Did

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3500. Did you see enough of Fort Reliance to enable you to judge whether or not that is a neighbourhood which would bear cultivation during the summer months?—I should say decidedly not.

3501. On account of climate?—Chiefly on account of climate, but also on account of the conformation of the land, which is so interspersed with rocks; it is granitic.

3502. What did you find as to the climate around Fort York; would it do for cultivation?—That is altogether different; there is an alluvial soil around Fort York; it is a low swampy country. I speak with diffidence upon this point, but I doubt whether it would do for cultivation, because the soil is generally frozen to some two or three feet below the surface.

3503. Even during summer?—In summer. I remember perfectly well seeing a trench dug and the soil was frozen, to the best of my memory, a considerable depth, two or three feet; immediately at the surface it was not, but below that, it was.

3504. And probably never was otherwise than frozen?—I should say not.

3505. On the whole, I apprehend from your answers that you do not think that even Fort York would be a favourable position for colonisation?—Unquestionably not.

3506. Mr. Kinnaird.] You mentioned that you had 22 companions with you; did you bring them all back living?—In the last expedition, with the exception of one of the artillerymen, all returned. On the second expedition we also lost one man; that was from sickness; but on the first expedition, which I dare say you may remember, in 1819 and 1822, the greater part died from starvation; they fell down in convulsions and actually died from want of food.

3507. More from want of food than from the climate?—Entirely from want of food and clothing.

3508. You got beyond the supplies of the Company?—It was a tissue of misfortunes altogether; the Indians had not been successful in fulfilling our measures; they had not provided the meat, the reindeer, which we had every reason to hope and to expect they would have provided, and our house, Fort Enterprise, was left entirely desolate.

3509. Have you reason to think that many Indians in that same neighbourhood also died in that year?—They did, but they were somewhat superstitious, and they heard strange tales; sickness got amongst them, and they went from one place to another in search of food themselves.

3510. Did you find a great difference between the Indians that you met far north away from the station, and those who were in the habit of coming immediately near the station?—Not so great one as one would imagine; very little indeed; it was so shadowy as scarcely to be perceptible.

3511. Then you did not see any effects of civilisation upon them?—Not upon the Indians.

3512. You said that they came in for aid?—Yes.

3513. Did the Indians seem to know and feel that they had a right to come to the Company for aid in point of distress when they were starving?—They seemed always to feel that they could fall back upon the clemency and the benevolence of the white man at any extremity; that as long as he had anything to spare in his store the Indian was certain to be relieved.

3514. From your experience, was the feeling of the Indian towards the officers of the Company, the white men, very good?—Very good. I never knew an instance to the contrary.

3515. When you first made the expedition you said that there were some differences with the North-West Company; did you ever suffer from that cause?—Never in the slightest degree, although I had to go and take a very active part in it, being my friend Franklin's first lieutenant at that time; but going from fort to fort we received equal aid from the one as from the other; indeed I remember with great gratitude many acts of kindness and of information conveyed to my friend Franklin and myself by officers of the North-west Company.

3516. Mr. Roebuck.] You say that the Indians derived great benefit from the Company. How was that?—I mean as far as regards the supplies which were brought to them from England; blankets, ammunition, clothing, &c., and the luxury of tobacco.

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3517. Supposing there were no Company there, and the Indians were allowed to do as they liked, would they be worse off?—Unquestionably. I think if that ever happened they would be almost decimated.

3518. How then did they get on when there was no Company?—Then, they were accustomed to rely upon their own exertions; they used the bow and arrow; they knew nothing of fire-arms, and consequently were self-dependent; and being self-dependent they maintained themselves at that time.

3519. Before the Hudson's Bay Company had that territory I suppose the country was peopled?—Certainly.

3520. And they were as happy then as they are now?—In all probability.

3521. So that the incoming of the Company was really no benefit to the country?—That I will not pretend to answer, but as regards the moral condition of the untutored Indian, in all probability he was as happy then as he is now.

3522. Sir John Pakington.] Is it your opinion that the sufferings of the Indians, of which we have heard, are really in fact caused by their having become dependent on the white man for ammunition, and for those new weapons which the white man has taught them to use?—In a great measure.

3523. Before the white man was there they had the never failing bow and arrow, and plenty of food?—Certainly.

3524. Mr. Christy.] I think you have said sufficient to show that you believe in the famines which are stated to have taken place amongst the Indians?—Yes; from time to time.

3525. Do you think that they have been very numerous?—I can scarcely answer that question, having been so long away from the country, but during the time that I was there they were not frequent; in little districts occasionally there was a want of animals, and privation followed.

3526. You sustained privation yourself?—Very great.

3527. Did you hold any office in the Company at the time when you made these expeditions?—On my last expedition the Company were kind enough to give me a commission in their service as a chief trader, for the obvious purpose of placing in my hands sufficient authority to make demands upon their posts whenever I might go to them.

3528. For supplies?—For anything that I wanted; I have that commission now.

3529. Mr. Edward Ellice.] There is no emolument attached to it, I suppose?—I am afraid not.

3530. Mr. J. H. Gurney.] Did you in the course of your travels, meet with anything that threw any light on the question as to whether the whale fishery could be carried on with any advantage in the Hudson's Bay?—No, I did not.

3531. Sir John Pakington.] How was the health of yourself and your party affected by that intense cold which you have described when the thermometer was 70° below zero?—I cannot say that our health was affected differently to what it would be in any other extreme cold; perhaps the appetite was considerably increased.

3532. But the health was not injuriously affected by the mere degree of cold?—Not at the time; but probably that, with the other sufferings, contributed to produce sickness afterwards for a considerable period.

3533. I presume that although the time for which the thermometer stood at 70° below zero was short, yet throughout all the winter you suffered constant and intense cold?—Yes.

3534. What was the mean range of the thermometer during the three or four winter months?—I am not prepared to answer that question without reference, but I think it was 18° below.

3535. It was always below zero?—Yes; I believe the lowest mean temperature was 28° below zero.

3536. Mr. Christy.] Have you any means of knowing whether the Indian tribes are decreasing in consequence of these famines?—No, I have no means of ascertaining that.

3537. Not from your own knowledge?—From my own knowledge, here and there, and amongst small tribes and detachments of tribes, I heard of a diminution having taken place from want of food; but they were only detached parties, therefore I cannot form an estimate of the whole.

3538. Did

3538. Did you take any pains to ascertain whether that was the fact?—Yes; amongst those detached parties to which I refer.

3539. And those, you say, were from six to 300 or 400?—Yes, those who frequented our fort; but they generally came in smaller parties from 15 to three or four.

3540. Sir John Pakington.] What was the temperature in summer in those northern regions?—The temperature in summer varies very much. I have known it go up with a Fahrenheit thermometer as far as 102° plus.

3541. In the sun?—Of course; but from 48° to 60°, I should say, in the extreme of summer.

3542. In the sun?—In the shade; and in very oppressive weather; during thunder storms, perhaps to 67.

3543. In the course of your journey from Fort Reliance down to the mouth of the Back River, what should you say would be the mean summer temperature there in the shade; 50°?—I should say it would not exceed 50°, if so much.

3544. And occasionally the sun was very powerful?—Very powerful; burningly so.

3545. Did the snow disappear from those regions?—The snow disappears entirely from the land between Fort Reliance and the sea.

3546. All the way to the North Sea?—All the way to the Polar Sea.

3547. What was the depth of snow in the winter at Fort Reliance?—From 1½ feet to 3½ feet in some places; but in sheltered places much more.

3548. With a hard surface?—With a hard surface in spring.

3549. Mr. Christy.] With regard to blankets and various other articles of clothing, which you say were distributed, and some articles of luxury, such as tobacco, are the Committee to understand that they were given by the Company except in barter?—Speaking of the Company, they were only on special occasions given as presents to the head men or chiefs, and others; certain presents were liberally made after their having brought in good supplies of furs, beavers, &c.; then certain presents were invariably made, and the rest was disposed of in barter.

3550. Not in respect of the necessities of these persons who were in a destitute condition from the state of the weather?—No, not from their being destitute, because they frequently came to the fort; indeed, generally in the summer, in very good condition; not badly off in clothing even, but still the presents were given.

3551. I understood you to say that in cases where there was great destitution the native population were in the habit of falling back on the clemency of the white man?—Yes.

3552. And they received from the Company articles, such as blankets, and even the luxury of tobacco?—Yes.

3553. But that is not the case except as barter?—With certain exceptions.

3554. What are the exceptions?—If, for instance, an Indian with his family had been suffering considerably for some time, and had got, perhaps, behind with his furs, they frequently received gratuities, I believe, from every post in the country, and these were often given as presents.

3555. Mr. Edward Ellice.] Have you ever heard of a case where a starving Indian was refused food?—Never in my life, on the contrary a starving Indian is invariably relieved, and sometimes to the detriment of those at the Fort; indeed, in my own case it was so.

3556. Sir John Pakington.] Did you yourself see much of the dealing between the Hudson's Bay Company's officials and the Indians for furs?—No, I did not; I was present on various occasions, but I merely saw what passed.

3557. You are not able to give us any information as to the rate of prices?—No, I did not conceive that was a matter in which I was concerned; being there under Government and on a scientific expedition, I felt that it did not become me to pry into the mode of conducting the trade of the Hudson's Bay Company, it was sufficient for me that I received every aid and kindness from them.

Rear-Admiral  
Sir G. Back, F.R.S.,  
D. C. L.

19 May 1857.

*Jovis, 21<sup>o</sup> die Maii, 1857.*

MEMBERS PRESENT.

Mr. Blackburn.  
Mr. Christy.  
Mr. Edward Ellice.  
Mr. Charles Fitzwilliam.  
Viscount Goderich.  
Mr. Gregson.  
Mr. Grogan.  
Mr. J. H. Gurney.

Mr. Percy Herbert.  
Mr. Kinnaird.  
Mr. Labouchere.  
Mr. Lowe.  
Mr. Matheson.  
Mr. Roebuck.  
Viscount Sandon.  
Lord Stanley.

THE RIGHT HON. HENRY LABOUCHERE IN THE CHAIR.

*Mr. James Cooper, called in; and Examined.*

*Mr. J. Cooper.*

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3558. *Chairman.*] YOU are acquainted with Vancouver's Island, I believe?—  
Yes.

3559. Will you have the goodness to state to the Committee what opportunities you have had of becoming so acquainted with it?—I have been a resident there for six years as a resident and colonist.

3560. What six years were those?—From the spring of 1851 until the spring of 1857.

3561. Have you still property there?—Yes.

3562. Do you intend to return to the island?—Not at present, at all events.

3563. Were you in connexion with the government of the colony?—I was a Member of Council there for five years.

3564. Are you connected with the Hudson's Bay Company in any manner?—Not at all; I was formerly in their service in command of their vessels; but I went out there decidedly independent, on my own account.

3565. Are there any statements with regard to Vancouver's Island which you are desirous of making to this Committee?—I have some; but I am not prepared to give them to-day; I arrived in town only a few hours ago. On what particular questions are the Committee desirous of having information?

3566. That is for you; we shall be glad to have any information upon the state of Vancouver's Island?—I am prepared to answer any questions, to the best of my ability, which are put in form.

3567. Did you pursue the business of an agriculturist in Vancouver's Island?—Yes, I did.

3568. What extent of land did you occupy?—I had a farm of about 300 acres.

3569. Was it your own property?—It was decidedly my own property, but there are embargoes upon it at present, as the land is not paid for.

3570. You bought it of the Company, I presume?—Yes.

3571. Where is it situated?—In the district called Metchosen, about seven miles from the settlement.

3572. What is your opinion of the soil and climate of Vancouver's Island, and of its capabilities for a settlement on a large scale?—Its climate, in every sense of the word, is superior to that of Great Britain, and its capabilities of agriculture are of a considerable extent. The land is partially wooded and partially open with prairie. There is plenty of room there for a large population.

3573. In point of fact, the population has increased very slowly, I believe?—It has decreased since I have been there.

3574. To what causes do you attribute that?—The mal-administration of the government of the Hudson's Bay Company.

3575. To what particulars do you especially refer?—There is no encouragement for immigration into the country. Many people have come to Vancouver's

couver's Island, and have left it; they have approved of the soil, of the climate, and of the capabilities of the country, but they have objected to being subject to the Hudson's Bay Company. If the British Government were established there, that would be the only necessary step for the British Government to take. There are thousands of people in the neighbourhood of San Francisco and California who would gladly go to a British colony, provided it was under a new administration.

3576. You mean if Vancouver's Island was administered directly as a British colony, and not indirectly under the control of the Hudson's Bay Company?—Directly.

3577. Do you believe that to be the general feeling of the inhabitants?—I am sure of it.

3578. Will you point out to the Committee in what manner the administration of the Hudson's Bay Company operates to check colonisation?—In the first place, with respect to their courts of justice, the people have not confidence in them; there are only a small number, but nevertheless they are unanimous in their opinion, they have no confidence in the courts of justice; our supreme judge has not been educated to the bar; I believe all the knowledge that he gains is from books; for instance, before he can decide upon a case, he has to refer to his books even in the most common case.

3579. I believe most judges are in the habit of referring to books before they decide cases, are they not?—I dare say they are; he has never been educated as a lawyer; that is the grand thing.

3580. Do you not think that under any circumstances the population of Vancouver's Island would have slowly increased, from California holding out great attractions to settlers just now?—That no doubt has been a great drawback to Vancouver's Island, but what we have felt as the greatest drawback is being omitted in the Canadian Reciprocity Treaty; therefore we are cut out, we have no market for our exports; it would have been a great boon to the colony had we been admitted at the same time as Canada was admitted.

3581. What American markets would you have supplied; do you mean California principally?—We should then be on the same terms as a State of the United States.

3582. To what American markets do you anticipate that you would be able especially to export your produce?—San Francisco, in particular.

3583. Have you had any opportunity of becoming acquainted with the mineral resources of Vancouver's Island?—To some extent I have. It abounds in coal, and there is a very large colliery belonging to the Company now at a place about 70 miles to the north, called Nanaimo, or Colville Town.

3584. That is coal, I believe, of very fine quality?—Yes; it is good for all purposes of generating steam, I believe.

3585. Is there any export at all of produce to the Californian market now from Vancouver's Island?—None whatever. The competition is so great from the Puget Sound, that it would be impossible, in fact, for us to compete with them, as on nearly all the commodities which we could export there is a duty of 25 or 30 per cent.

3586. A differential duty?—Yes.

3587. You would chiefly send bread-stuffs and timber?—And coal and salt fish.

3588. Is there a differential duty to that extent upon your coal?—Twenty per cent.; but it is merely the Hudson's Bay Company at present who have a coal mine there. Nevertheless, if it were admitted free into San Francisco, it would be a great boon to the country; it would create a trade.

3589. The rivers and waters of Vancouver's Island abound in fish, I believe?—They do; there are no rivers in Vancouver's Island of any extent; but the Straits of Juan de Fuca and all the salt water inlets around Vancouver's Island abound in fish.

3590. Are there not salmon in the rivers?—Salmon are caught in salt-water, and also in Fraser's River on the mainland, in respect of which the Hudson's Bay Company have the exclusive right of trade, very much to the drawback of the settlers and colonists there.

3591. Are there many Indians on the island?—I should presume there are something like 18,000 or 20,000 on the island.

3592. Do they give you any trouble, or is order preserved between them and the



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the white men generally?—We have never had much trouble from them; but a serious trouble is anticipated, unless there is a force there to keep them in check.

3593. Why so?—Because they are excited by the wars now prevailing on the continent close to their borders; so much so, that the Indians are quite cognisant of the facts which are taking place on the opposite side within a few miles of them.

3594. I believe there has been a very serious and destructive war carried on on the American side of the frontier between the Indians and the white men?—Yes; a very barbarous war.

3595. But hitherto there has been absolute peace on the British side of the frontier?—We have only had one or two little difficulties, yet they have always ended comparatively quietly, and we have had very little trouble with them; we have occasionally had the assistance of a man-of-war up there, and we have checked it in its bud.

3596. Are you aware of any instances which have lately occurred in which individual outrages have been perpetrated by red men in Vancouver's Island, and where they have been brought to justice with the assent of the tribes, and without any difficulty?—Yes, in two instances.

3597. Do you think it very important to be able to maintain that influence over these tribes?—It certainly would be; but I am afraid it will not last much longer unless we have a force permanently settled on the island. At present we have only one constable; we have no military force there at all, so much so that the settlers are squatted about the country, and we are liable to get our throats cut at almost any moment's notice.

3598. You say that you have one constable only; in what way were these Indians apprehended?—By the assistance of the men-of-war; it could not have been done without. Her Majesty's ship, "Trincomalee" was the vessel that went up last, and on the former occasion Her Majesty's ship "Thetis."

3599. When you left the colony had the constitution been fully brought into effect in the way it now is?—Nominally. There was a legislative assembly constituted, but we could not muster a sufficient number of members to sit at it; there were only six or seven members that were eligible for the position.

3600. What was the number of voters?—I suppose every member was returned by one or two voters.

3601. What was the number of white men altogether in the island?—Not more than 250 or 300.

3602. Do you know what the qualification for being an elector of Vancouver's Island is?—Yes; that he should hold 20 acres of land.

3603. What did the constituency, with that qualification, give in point of numbers; do you remember?—There were not a great many holding that quantity of land.

3604. And of those the greater number, I believe, are servants of the Hudson's Bay Company?—Yes, most of them; there are no free settlers at Vancouver's Island. The mechanics and tradespeople that have gone out there, under the employ of the Hudson's Bay Company, instead of returning to Great Britain have bought land there, and remain. I, and a gentleman of the name of Grant, Captain Grant, were the only persons who complied with the prospectus of the Company. I took out men from England with me.

3605. In short the sum of your opinion is that it would be desirable to constitute Vancouver's Island a British colony, in the ordinary manner, and to govern it with the institutions which usually belong to a British colony under those circumstances?—Most assuredly.

3606. Do you think it would be desirable to comprehend in any such colony any part of the mainland adjoining Vancouver's Island?—Yes; I consider that Fraser's River should be thrown open into Thompson's River district. There is a large beautiful district called Thompson's River, about 150 miles or so from the mainland; it lies in about the same latitude as Vancouver's Island.

3607. You think that there is a considerable extent of country upon the mainland, adjoining Vancouver's Island, which is calculated for the purposes of settlement?—Yes; one of the most beautiful countries in the world.

3608. Is it as good as Vancouver's Island itself, do you think?—I think it is better; it is more open land. Vancouver's Island is broken; it is very heavily

heavily timbered, and it would require great expense in clearing some portions of it before it could be made available for agricultural purposes.

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3609. Is there any prairie land in Vancouver's Island?—Yes, but not to any great extent.

3610. You stated that you thought that the administration of the law was not satisfactory to the colonists at the present moment?—Decidedly not.

3611. Will you inform us what alteration in the system you think would be advantageous?—I think that if a supreme judge were appointed from this country, a man in whom the British Government had confidence, it would give confidence to the people there and they would be satisfied; at present it so happens that the gentleman holding that appointment is the brother-in-law of the Governor (who is also a paid servant), and paid by the Hudson's Bay Company, and therefore many cases that come under his notice of course must clash with the interests of individuals.

3612. Do you state that you think that these circumstances which you have mentioned cast a suspicion over the decisions of the judge, which you think objectionable; are there any of his decisions which you think there is any just reason for complaining of?—Yes; there is the case of the Rev. Mr. Staines, who was colonial chaplain; that is a very pointed case; he was persecuted most vilely, I believe myself, through the instrumentality of this Mr. Cameron, for he was a prominent party there; he (Rev. Mr. Staines) was no doubt obnoxious to the authorities, and he was persecuted on that account; I am not prepared to say that that really was so, but that was the opinion of the people; he was prosecuted for stealing some pigs. This Mr. Cameron, the judge there at present, after his nomination, was going to bring the case forward without even a grand jury being empanelled, but the bill was ultimately ignored.

3613. Viscount Goderich.] I think you stated that there were certain classes of cases which came before this judge in which the interests, as I understood you, of the Hudson's Bay Company, were contrary to the interests of individuals; can you explain to the Committee what those cases were?—I said that they would clash with individuals.

3614. Will you explain generally, without entering into detail, what those cases are?—There is a case now pending. There is a gentleman out there of the name of Langford, who has been a bailiff under the Puget Sound Company for some five or six years, and they wish very much to get rid of him. The Governor, the judge, and the bailiff are all paid servants of the Company.

3615. Mr. Edward Ellice.] Who is the judge that you are speaking of?—Mr. Cameron.

3616. Do you know by whom he was appointed?—He was nominated by Mr. Douglas and appointed by the Queen, I believe, confirmed by the Queen.

3617. The Colonial Office?—The Colonial Office.

3618. Mr. Grogan.] You have stated that you do not consider that the gentleman now holding the office of judge there is acquainted with law. On what grounds do you base that opinion?—Because he is not a lawyer.

3619. Has he been educated as a lawyer?—Never; he was educated as a draper, I believe.

3620. How long has he been in this situation?—He has been holding that office now for about four years.

3621. Chairman.] Was he never called to the bar?—Never in any part of the world. He was formerly a superintendent of an estate in the West Indies, in Demerara. I am prepared to take my oath that he was not a lawyer.

3622. What is his salary?—He receives 150 l. a year from the Hudson's Bay Company as superintendent of their coal mines; clerk to the coal mines. He receives also another 100 l. per annum from what is called the Licence Fund. There are heavy licences from the publicans; they pay about 120 l. per annum. I believe that gives an income to the colony of about 400 l. or 500 l. per annum, and he receives 100 l. out of it.

3623. Does he receive nothing as judge?—Nothing except that salary.

3624. In short, he is a magistrate rather than a judge?—No; he holds his commission as chief judge.

3625. Mr. Grogan.] Does he adjudicate on all classes of questions that may arise in the island?—Yes, he is the supreme authority.

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3626. Criminal and civil?—Civil only, as supreme judge.

3627. Has he ever exercised that authority?—No, not in a criminal case.

3628. To what extent has he gone in civil cases?—I believe that the reason he has never acted is because all the cases now pending have been put back as far as possible. My opinion is, that they are afraid that he should act for fear of a collision.

3629. Viscount *Goderich*.] Do you suppose that he has power to sentence a man to death?—No, I do not think that; I believe the executive authority upon that rests with the Governor.

3630. Mr. *Grogan*.] Was this gentleman judge of the island at the time of some disturbance which occurred about 1853, when two Indians were hanged for murder?—No, it was the Governor who acted, Mr. Douglas.

3631. Was he at that time judge and governor?—He was the only authority there. This Mr. Cameron is judge in civil cases, but he is one of the magistrates for all criminal cases.

3632. In fact no criminal case has been adjudicated upon by the judge since his appointment?—No.

3633. *Chairman*.] Do you think, upon the whole, that the conduct of the government of Vancouver's Island towards the Indians is humane and judicious?—Humane probably, but not judicious.

3634. In what respects injudicious?—If an Indian commits any depredation he is bribed; there is no authority, no force, to punish him; and therefore rather than he should show a disposition to be angry, he will perhaps get two or three blankets given to him to make friends with them again.

3635. You think that the policy pursued towards the Indians is of too gentle a description; that there is not sufficient firmness?—It may be of a description which would answer the Hudson's Bay Company's purposes sufficiently well in the interior, or on the continent of America, but not among a settlement of British subjects.

3636. But is not this fact patent and notorious, that on the American side of the frontier there have been wars of the most barbarous and cruel kind between the white and the red man; and that on the British side of the frontier, upon the whole, order has been preserved, and there has not been, I believe, a drop of blood shed in conflict between the white and the red man?—Yes; but will you guarantee that that is going to remain?

3637. Mr. *Grogan*.] Do you speak of your own knowledge, when you say that when an Indian commits an offence he is bribed to keep him in good humour?—I do.

3638. Can you give an instance of the kind?—Many.

3639. Mention one within your own knowledge?—I will give my own case. I had some property stolen from me, and the man, instead of being punished after an investigation, was told not to do it again, and therefore he was let off.

3640. *Chairman*.] That is what you mean by being bribed; not sufficiently punished?—But in many cases they are really bribed; they have property given to them so that they may not create a disturbance; there is no force or authority in the country to punish or check them.

3641. You do not mean that if an Indian has committed an offence, he has a reward given him for having committed that offence?—It appears so.

3642. Mr. *Grogan*.] In the instance that you refer to, of property stolen from yourself, what redress did you get?—None; I lost the property.

3643. *Chairman*.] Are the Indians thievish in their habits?—All of them.

3644. Viscount *Sandon*.] But without any military force, and with only one constable, would it have been safe for the Company to punish the Indian?—No, decidedly not; that is the reason they do not punish the Indians, because they are afraid of the Indians retaliating. The Governor (in his official capacity) admitted, that his anxiety for the safety of the colony caused him many sleepless nights.

3645. Mr. *Edward Ellice*.] Do you know any cases of Indians having been punished by the Company?—Yes, one or two.

3646. *Chairman*.] I think you stated a short time ago, that you were cognisant of two cases where serious offences had been committed by Indians, where those Indians had been apprehended and brought to justice?—Yes; but that has not been by the Hudson's Bay Company, but by Her Majesty's ships.

3647. It

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3647. It was done doubtless through the instrumentality of Her Majesty's ship which happened to be on the station, but it was done by the authority of the local government, was it not?—In one instance, when the "Thetis" was there, Captain Kuper, who was in command, had to write several letters before he could prevail on Mr. Douglas to act.

3648. Mr. Grogan.] What was the instance in question; speak of your own knowledge?—One man had been killed; he had been shot; he was a shepherd.

3649. Was that in 1853?—It might have been 1852; the fall of 1852 or the spring of 1853.

3650. Chairman.] What was the recent instance which occurred the other day?—A short time ago, probably a twelvemonth ago, there was a man fired at; he was wounded, but not mortally; the man recovered; in that case the man who had fired at him was hung by the assistance of the force there of one of her Majesty's ships, the "Trincomalee."

3651. An Indian fired?—An Indian shot at a white man, evidently with an intent to kill; but it was, fortunately, not a mortal wound.

3652. What occurred?—With the assistance of the "Trincomalee" there was a proper force sent up, and that man was apprehended.

3653. What was done with him?—The Indian was hung.

3654. Mr. Roebuck.] How was he tried?—By a jury, and the Governor acted as judge; the Governor was the executive; he holds the executive authority.

3655. That is a judicial authority, the trying of him?—Yes.

3656. The hanging of him is executive?—Yes.

3657. Chairman.] I think you stated that this punishment of the Indian produced no bad effect upon the minds of the tribe generally?—No; they probably believed that it was all right; they believed that it was correct that the man should die.

3658. They believed that justice was done?—They believed that justice was done; but the Indian character is very susceptible, and they are just as liable to retaliate, perhaps at a day's notice; a very little thing perhaps will rouse the Indian blood; and unless there are a number of white people there, there is no force really to show an opposition to them. If 400 or 500 Indians come down, what force have we? There is a settlement here, and another there, scattered all over the country; the only legitimate force in the place is one constable.

3659. Mr. Edward Ellice.] Do not you know that in the case which you have mentioned, the man was hanged with the consent of the chief of his tribe?—Yes; but I believe that the chief himself was bribed; that he had a number of blankets given to him after the man was hung, or before.

3660. Chairman.] Do you know that?—I could not swear it, but that is the general belief by the people.

3661. Mr. Grogan.] Does your complaint of the management of the Hudson's Bay Company in this department arise from there, being an insufficient force for the protection of the inhabitants?—Yes.

3662. Is that the sum and substance of the complaint?—No; the sum and substance of our complaint is, that we are exposed to danger from the treachery of the Indians; that we have no proper constituted courts; that the Government and management of the Hudson's Bay Company is substantially and radically wrong; deterring (from their powerful monopoly) the advancement of the colony; that we were not admitted in the Canadian reciprocity treaty; and we have found by practical experience the incompatibility of a powerful Company attempting to colonise.

3663. Lord Stanley.] Your evidence comes to this, that the colony is weak; that the Indians are numerous, and that therefore a policy of conciliation has been, of necessity, adopted towards them?—It has.

3664. Mr. Roebuck.] But did you not also say that the person who was appointed judge was incompetent?—I did.

3665. That is an addition to all the other things?—Of course.

3666. Mr. Grogan.] On the occasion of the trial and execution of the man whom you have just alluded to, did the chief judge of the country take any part whatever in that trial?—He was up there with the Governor.

3667. Did he preside?—No.

3668. Did he take any part in the examination?—Not that I know of.

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3669. Mr. *Edward Ellice*.] Were you there?—No; it is some 70 miles from the settlement.

3670. How then do you know that he did not take part?—Because there were plenty of people there that I knew who told me.

3671. Mr. *Grogan*.] What may be the salary of the one constable who is there?—Probably some 35 l. per annum, and his provisions found him.

3672. You spoke of a considerable income being derived from licences issued to public-houses; what is the annual licence of a public-house there?—£. 120 for a retail dealer.

3673. Is that the amount of the licence in each case?—It is 120 l. in each case for every house licensed.

3674. Do you mean that if I wanted to establish a public-house there I should have to pay a licence of 120 l.?—I do.

3675. Is there any land given with it?—No.

3676. Is there a house?—No.

3677. I must build the house?—You must build the house and then pay 120 l. for the privilege of selling liquor.

3678. And I must buy the land?—You must buy the land in addition.

3679. When I have bought the land and built the house and paid the licence, what position am I then in in regard to the exercise of my trade?—It is all chance.

3680. Is there any interference with me whatever?—None at all.

3681. Am I allowed freely to import the spirits or groceries or whatever else I may deal in, for the use of my shop?—Yes; there is no duty whatever on them.

3682. Is there any restriction whatsoever given as to the quantity of spirits which I may sell, or to whom?—No, there is no restriction.

3683. May I sell them to the Indians?—No.

3684. That is a restriction?—Of course; I am speaking of the inhabitants of the colony.

3685. Is there any other restriction whatsoever?—I can confidently say not, neither in importing; nor exporting; but certain restrictions exist as to who shall be allowed to purchase by the bottle, or gallon.

3686. In the carrying on of that business which I have alluded to, how should I be paid; would it be in food, or fish, or peltry, or goods of any kind?—You would be paid in money; the currency of the country is dollars and cents, and there is very little of that; we have no English money there.

3687. What is the regulation with regard to the sale of spirits to the Indians by such a trader as I have alluded to; is he prohibited from dealing with the Indians at all, or only in the case of spirits?—Only in the case of spirits.

3688. Viscount *Goderich*.]—But the licence is simply a licence to sell spirits, is it not?—That is all.

3689. It does not require a licence to sell other things?—No.

3690. Mr. *Edward Ellice*.] You were a Member of the Council, were not you?—Yes.

3691. Were you a Member of the Council when that licence was imposed?—I was; but I protested against it. I thought it too exorbitant for a new colony.

3692. Mr. *Roebuck*.] How long were you there?—Six years as a settler.

3693. Then you know the climate?—I do.

3694. Had you a farm?—I have had a farm.

3695. Have you paid attention to the climate of the country?—I have.

3696. Do you know the soil of that country?—Yes.

3697. Is the soil fit for farming?—It is capable of producing all the crops that we can produce in this country, and some others which we cannot produce; for instance, Indian corn; but I do not think it would come quite to perfection on account of the nights being rather too cool.

3698. Wheat ripens there?—Wheat ripens there to perfection.

3699. Therefore if we heard any statement doubting that wheat ripens there, your authority is contrary to it?—I am prepared to contradict it; it is one of the finest wheat-growing countries in the world.

3700. Have you been over the island?—I have been a considerable distance in the interior.

3701. Have you been north?—Yes.

3702. How

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3702. How far north?—To the northern end of the island.

3703. At the northern end of the island what is the climate?—A similar climate, but there is rather more rain, perhaps rather too much rain for agricultural purposes at the northern end.

3704. Have you ever been in Ireland?—No.

3705. You do not know whether there is more rain by the gauge in Vancouver's Island than in Ireland?—No; I am not prepared to go into details, and give you the particulars.

3706. For agricultural purposes the whole island is fitted, you think?—Decidedly, bearing in mind the statement of my former evidence.

3707. In that northern part is it wooded?—The island is very thickly wooded all over, with the exception that it is interspersed with small prairies.

3708. Have you ever been in Canada?—Yes.

3709. Have you paid attention to the agriculture of that country?—No; I never remained in Canada any time.

3710. Do you know that all land in that country is covered with wood, which wood is obliged to be cut down before the land can be turned to agricultural purposes?—I do.

3711. And I suppose there is no more difficulty in Vancouver's Island than in Canada?—Not a bit.

3712. Have you cut down timber, and converted the land to agricultural purposes immediately?—Under the present state of the colony's infancy there is no necessity for that; it would be too expensive. The open land is generally brought into cultivation before the timber land, and there is a great deal of open land yet to be disposed of.

3713. That open land you employed?—Yes.

3714. Was it fertile?—Beautiful land.

3715. Did you plough it?—Yes.

3716. What return of wheat did you get per acre?—From 25 to 40 bushels per acre is the average crop.

3717. You sow it in autumn, I suppose?—Yes, about the month of October.

3718. Mr. Grogan.] Have you got 40 bushels an acre yourself?—I have not myself, but there were two farmers on the island who did.

3719. Mr. Edward Ellice.] What farms were those?—One was called Old Bay Farm, and the other belonged to Mr. Ross.

3720. Mr. Roebuck.] Have you travelled on the mainland opposite Vancouver's Island?—Yes, I have been to the head of the Puget Sound waters.

3721. Is that country wooded also?—About the same.

3722. Do you know what kind of wood it is?—Red pine.

3723. Mr. Edward Ellice.] In what territory is it?—In the Washington territory, belonging to the United States.

3724. Mr. Roebuck.] Is there not hard timber also?—Oak; not on the mainland, but on Vancouver's Island there is a large quantity of oak.

3725. Are there beech and maple?—Yes.

3726. Is it within your knowledge that where pine grows the land is less fertile than where the hard wood grows?—Not in Vancouver's Island; but I have understood that that is the case in Canada. Generally, our wood land is considered as fertile as the prairie land.

3727. And the wood is usually, you say, pine?—Yes, but not exclusively pine; other kinds grow with it.

3728. Mr. J. H. Gurney.] Are you now speaking of English territory, or American territory?—English territory; Vancouver's Island.

3729. When you were speaking of the main land just now you were speaking of American territory, were you not?—Yes; I was asked whether I had been on the mainland.

3730. Mr. Roebuck.] I asked you whether you had been on the mainland opposite Vancouver's Island?—Yes.

3731. Upon the British territory?—What is understood there by the mainland in particular is the American territory. No trade goes on upon the mainland from Vancouver's Island, on account of the Hudson's Bay Company having the exclusive right of trade.

3732. I am asking you whether you have been upon the mainland belonging to England?—I have.

3733. What is the character of that land?—It is thickly timbered.

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3734. Do you therefore call it fertile?—On the coast, perhaps, not so fertile, but about 150 miles from the coast, on a direct parallel, there is one of the most beautiful countries in the world.

3735. What authority have the Hudson's Bay Company over Vancouver's Island?—They have every authority; they are the lords of the soil by grant of the Crown, I believe.

3736. And upon them depends the permission to colonise that country?—It does.

3737. Do you know whether they have granted that permission freely?—At all events if they have, the prospectus is not favourable to colonisation.

3738. Was there any impediment thrown in your way as a colonist in that country?—Yes.

3739. What?—I was exclusively confined to my operations on Vancouver's Island. I had the impression when I went there first, that the mainland also was open for trade for settlers; but I found afterwards that it was not.

3740. What sort of trade?—In fishing, for instance. There are large fisheries in Fraser's River, which exclusively belong to the Hudson's Bay Company.

3741. And you are prohibited from using that fishery?—Yes.

3742. Was there any impediment thrown in your way to colonising Vancouver's Island?—No, I imagine there is no great impediment; but still there are many drawbacks which, if I could go into detail, I would mention.

3743. Pray go into detail?—One is this: I will place myself there as an independent settler, and the disadvantages that I am under are these. It would have been much better for me if I had gone out in the Hudson's Bay Company's service as one of their bailiffs or servants, for this reason, that they are furnished with goods at a nominal price, and all their expenses are found them. I have to pay extortionate prices for my goods, and find all my expenses besides. But then they say, "You have an equal right to find your goods;" but it is not every man going to a new colony who has money to find his goods; it is not every man who is a millionaire.

3744. Supposing the colony were thrown open to Her Majesty's subjects generally, the power of the Hudson's Bay Company taken away, and a Governor sent there by the British Government, do you suppose that that would advance the colonisation of the island?—I do; I am fully of that opinion; I think it would be one of the only steps which the British Government need take, to alter the administration of the Government, and that people would flock there from San Francisco who have been out there now some years, and are perhaps tired of the country themselves.

3745. You mean English people?—English people. I am certain that there are hundreds of people in California, who, if Vancouver's Island were a British colony to all intents and purposes, with a British Government, would gladly go to Vancouver's Island to open trade.

3746. So that the island, being under the dominion of the Hudson's Bay Company, is not considered an English colony?—No.

3747. The power and authority of the Hudson's Bay Company is an incident deterring the colonisation of the country?—Yes, it is.

3748. How far north have you travelled upon the mainland?—It is such a country that there are no roads; you cannot travel by land, you must go by water. I have been up to the north end of Vancouver's Island.

3749. Did you ever go to Queen Charlotte's Island?—Yes.

3750. What sort of island is it?—Something similar to Vancouver's Island, but nothing like so fertile; it is a varied climate.

3751. Is it wooded?—Very thickly wooded; it is rather mountainous.

3752. Do you know whether there has been any discovery of coal upon that island?—I am not aware of it.

3753. Coal has been discovered upon Vancouver's Island, I believe?—Yes, they have a large mine there now in operation.

3754. If that mine were worked I suppose it could supply the continent with coal?—I believe that the Nanaimo coal mine is capable of supplying the whole Pacific.

3755. To what extent is that coal mine worked now?—When I left, they had something like 8,000 or 10,000 tons ready for sale, but there was no sale for it.

3756. Why?—



3756. Why?—In the first place, they asked too high a price, and coal has been discovered on different parts of the coast; and there is also the great drawback which I mentioned, namely, the duty of 20 per cent. upon it.

3757. Upon what part of the coast has coal been found?—In Bellingham Bay, directly opposite Vancouver's Island, at the south end.

3758. *Chairman.*] On British or American territory?—American, and also in Coose Bay; that is about 200 miles north of San Francisco; but that is a very bad harbour, and will never be to any extent available.

3759. *Mr. Roebuck.*] You say that there is a duty of 20 per cent. upon the exportation of coal?—No; there is a duty of 20 per cent. imposed in San Francisco, in American territory.

3760. Then there is no difficulty thrown in the way of anybody exporting coal by the Hudson's Bay Company?—No; but they are the only persons who are capable of working a mine even if it were found; there are no colonists in Vancouver's Island who, even if they could find coal, would be capable of working it, from the want of means.

3761. *Chairman.*] Are not the Indians employed in working coal?—Nominally they are, but not to any extent; they are principally white people.

3762. Do you find that the Indians are willing to work for wages, and that they make useful labourers?—Yes, they are willing to work.

3763. Did you employ them yourself in agricultural labour?—Yes, I used to employ a great many.

3764. Did you pay them in money wages?—No, principally in trade goods, such as blankets and baize.

3765. You gave them no money?—No money; they do not understand the value of money.

3766. *Mr. Roebuck.*] Did you ever try them?—A few knowing characters about the settlement understand the value of money, but as a general rule, the Indians do not know the value of money.

3767. *Chairman.*] Are the Indians intelligent?—Some of them are very intelligent.

3768. Is there any education among them?—No; not at all.

3769. Are there no clergymen or others who interest themselves in their education?—None whatever.

3770. Is any attempt made to Christianise them?—None at all.

3771. Do you mean none whatever?—None at all, not the slightest.

3772. *Mr. Grogan.*] Is there any resident chaplain or clergyman in the island?—There is one.

3773. *Chairman.*] What is he?—He is the colonial chaplain.

3774. *Mr. Roebuck.*] Can he speak the Indian language?—No.

3775. Then he cannot address the Indians at all?—No.

3776. *Mr. Grogan.*] How long has he been there?—Probably two years.

3777. What may be his salary?—About 300 l., I believe.

3778. *Mr. Edward Ellice.*] What difficulty would there be in the way of clergymen spreading themselves among the Indians in the island?—The Roman-catholic priests do it, and I do not see that there would be more difficulty attending the English clergy than there is with the Roman-catholics.

3779. How many stations have the Company in the island?—Three.

3780. Whereabouts are they?—One is at Victoria, where the settlement is; one is at Nanaimo, at the coal mines; and the other is at Fort Rupert, at the north end of the island.

3781. The fact is, that with the great body of Indians through the island the Company have very little communication?—There are no interior Indians; there are coast Indians; and I suppose the Company have a communication either directly or indirectly with the whole of them.

3782. But none of the people employed by the Company reside among the the Indians?—No; only one or two priests.

3783. *Chairman.*] Do the Indians get their subsistence chiefly by fishing?—Yes; all the Indians on Vancouver's Island subsist by fish as the staple article.

3784. You have stated that there have been attempts made by Roman-catholic missionaries to Christianise the Indians?—Yes; there have been several on the island, and latterly it has been a bishopric.

3785. Do they live there permanently?—Yes.



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3786. Have they been successful in their efforts to Christianise the Indians?—Yes. I think in the first instance they have; they seem to have some knowledge now of a Supreme Being, from the fact of the missionaries living with them.

3787. Have they any schools to endeavour to teach them?—Yes.

3788. Mr. *Edward Ellice*.] How many Protestant schoolmasters are there in the island supported by the Company?—Two; paid by the colonial fund.

3789. Mr. *Charles Fitzwilliam*.] Who are the two?—One is a gentleman named Barr; he has left now, and is coming home.

3790. *Chairman*.] Are there any Protestant missionaries in the island?—None whatever. The only Protestant clergyman there is a gentleman of the name of Cridge.

3791. Mr. *Roebuck*.] Are the Roman-catholic priests brought over there by the Hudson's Bay Company, or do they come over there voluntarily?—Voluntarily.

3792. So that the Hudson's Bay Company have nothing to do with Christianising the country as far as depends upon the priests?—No.

3793. Mr. *Grogan*.] Do the priests receive any allowance or wages from the Hudson's Bay Company at all?—Not that I am aware of.

3794. Are there any schools maintained in the island, either Roman-catholic or Protestant, or of any other persuasion, at the expense of the Hudson's Bay Company?—At the expense of the colony, not by the Hudson's Bay Company. The fund arising from the sale of land is termed the colonial fund, and that is all expended, I believe, just now, and the colony a bankrupt.

3795. You stated, I think, that you had about 300 acres of land yourself, part of which was not paid for?—Yes.

3796. What is the price of land in the colony?—£. 1 per acre.

3797. Invariably?—Invariably; with the exception of that portion of the island which they have allotted off for a town, where they charge 10*s*. for 120 feet by 60 feet.

3798. Viscount *Goderich*.] Where is that; at Victoria?—At Victoria.

3799. Mr. *Roebuck*.] Why is it that colonists do not go to Vancouver's Island now, and why do you suppose that they would go if the government were changed?—From the fact that most English people object to be under any government except the real true British Government.

3800. Excepting that sort of feeling or prejudice, or whatever you may call it, you do not know any objection?—Only from instances which occur of that sort.

3801. What do you mean by those instances?—Just before I left, in the beginning of January or the latter end of December, a gentleman came up from San Francisco, under a commission from some friends at that time in San Francisco, to look at the island, and make a report about it, and what he thought of the country; and he left the country in disgust. He said that he approved of the colony and its capabilities, but that he objected to come and settle under the Hudson's Bay Company.

3802. Did he give you any reason for his objection?—The monopoly of the Hudson's Bay Company.

3803. The monopoly of what?—The monopoly in trade; that no individuals could compete with them.

3804. Mr. *Edward Ellice*.] In what trade?—General trade; they trade in everything.

3805. Mr. *Roebuck*.] If persons came up from San Francisco with goods; for example, if those persons who deputed the gentlemen to whom you have alluded go there, brought up goods and established stores, would they find any difficulty in consequence of the Hudson's Bay Company being there?—That is their impression, and I believe that they would.

3806. In what way?—That they are a powerful company, and do trade in everything; that they can compete in consequence, and that private individuals have no chance. In the first instance, there really are no settlers to buy goods. All the people there receive salaries from the Hudson's Bay Company.

3807. Let us go by steps. Supposing these people to come from San Francisco, and to have with them an accumulation of goods, would they find any difficulty in landing those goods?—Not at all.

3808. They might carry them to any part of the country that they liked?—Yes.

3809. Would

3809. Would they find any difficulty in getting land?—None.

3810. Then anybody might settle there, get what land he wished, and sell what goods he could?—He would not be able to sell spirits without a licence.

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3811. Viscount *Goderich*.] Are the servants of the Company obliged to deal with the Company; would there be any objection to their dealing with any one else?—They cannot get the money; they have an open account with the Hudson's Bay Company; and as the Company sell the goods, and have no money to pay them, they must either take their goods from the Company's store, or go without.

3812. So that practically they would not, in your opinion, be able to deal with settlers?—No.

3813. Mr. *Christy*.] Do the Company pay in wages or in goods?—Nominally in wages; but their servants are induced to take goods out of the store.

3814. Is money plentiful?—No, there is hardly any at all; there are probably 10,000 or 15,000 dollars in the place, and that is all.

3815. Viscount *Sandon*.] In fact, the only market in the place for spirits would be the Indians?—No; large quantities of spirits are consumed there; it is the only beverage in the country that the white people can use.

3816. Is there an abundance of the fur-bearing animals in the island?—There are not a great many, probably.

3817. Then you think, in fact, that the possession of the island is of very little service to the Company?—I have heard it admitted by themselves abroad that they wish that the Government would take it; that they do not hold it to be of value.

3818. Mr. *Percy Herbert*.] You said that there were no rivers in the island; are there any streams?—There are small streams, but no navigable rivers.

3819. Are those streams long in their course?—They do not extend a great distance; the island is very narrow; not more, probably, than about 40 miles wide.

3820. What sort of valleys do those streams run through?—Most of them are available for cultivation.

3821. To some extent?—Yes, right and left of them; at Cowitchan, a little river runs up, and I suppose that is one of the finest valleys in the world.

3822. Does the rain fall regularly in the year, or are there long droughts interfering with cultivation?—The year before last we had rain every month in the year, although it is a common expression to say the dry season and the wet season.

3823. There has been no dry season to interfere with agriculture during the whole of your experience?—No, none at all; I have no doubt that in England drought is as much suffered as it would be there.

3824. Mr. *Christy*.] As you say money is not plentiful in the island, do the Company afford facilities for transmitting money or bills?—No, none whatever; they will not become bankers.

3825. With England?—No, they will not transmit your money.

3826. Have any complaints of this been made by parties in the colony desirous of bringing out goods from England?—They have remonstrated with the Company; in many instances the goods have been left behind.

3827. Have they complained that no facilities were given either for bills or money in exchange with England?—Yes.

3828. Do you consider such complaints well founded?—I do, from my own knowledge.

3829. Have the Company any interests which would be interfered with by the rise of a body of independent merchants in the island?—No, I think they would gain by it.

3830. There are not now many merchants in the island?—There are none.

3831. Do you know whether any outlay has been made in improving the communication between the coal mines and the coast by the Company or by colony?—No; none whatever.

3832. Mr. *Edward Ellice*.]—The coal mine is on the sea-shore, is it not?—The coal mine is on Vancouver's Island.

3833. Close on the sea-shore?—Yes, it is not more than 30 yards; there is a wharf extending a couple of hundred feet.

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3834. The fact is, that a ship can go a very short distance from the mouth of the mine and take its coal on board?—The skips might shoot into the ship.

3835. Mr. *Christy*.] Do the Company impose any restrictions upon persons engaged in any particular kind of trade?—No, I believe not.

3836. Not such as furs and timber and coal?—None whatever; there is an export duty of 10 *d.* a load.

3837. The duty which you mentioned is upon fishing, is it not?—No; there is no duty whatever, either import or export, in Vancouver's Island, excepting the 10 *d.* a load mentioned above.

3838. Mr. *Edward Ellice*.] Did you take any goods out to Vancouver's Island when you went?—I did.

3839. Did the Company carry them for you?—Yes.

3840. Did they make any difficulty in carrying them?—None.

3841. And you acted quite independently of the Company in the island?—Just so.

3842. Mr. *Christy*.] How were you occupied after you arrived in the island?—In trading generally with the natives, and farming.

3843. You spoke in the first part of your evidence of the administration of justice?—Yes.

3844. You said that one of the greatest complaints of the settlers was the way in which justice was administered?—Yes.

3845. Do you know how Mr. Cameron was appointed?—Through the interest of his brother-in-law, the Governor, no doubt.

3846. Do you know by what power Mr. Cameron was appointed judge of the colony?—Through the Colonial Office; I believe from representation.

3847. You know that it was an appointment of the Crown?—Decidedly; at least I have the Governor's word for it.

3848. Is Mr. Cameron a member of any bar?—Not at all.

3849. Was there any dissatisfaction expressed at the time of his appointment?—Strong remonstrances were made by petition to the Governor, and by petitions to the House of Commons; whether those petitions have ever reached or not I am not prepared to say.

3850. *Chairman*.] When was the appointment made?—In 1853, I think.

3851. Mr. *Christy*.] You know that the appointment of the present judge was a sore subject in the colony?—Decidedly. I have just one document which I would like to read if the Committee would give me permission, relative to those petitions; it is not very long.

3852. Have you known of any cases coming for decision before the court which involved any considerable amount of property?—No; there are no cases in Vancouver's Island at present which are liable to such an occurrence, because there is no person holding any amount of property there.

3853. Was there any case, with regard to a vessel, of great importance?—Yes.

3854. A ship and her cargo?—Where the master was confined three months in gaol for barratry; the vessel having called at Valparaiso, and a large quantity of cargo sold to defray expenses. From the evidence placed before the grand jury, a true bill was returned; the petit jury afterwards returned a verdict of not guilty. Also a case of *Webster versus Muir*; that was respecting a contract; it was not exactly with regard to a vessel; that was before the appointment of Mr. Cameron as judge. There was one case where some 2,000 dollars damages were levied.

3855. Are you aware of any cases of life and death which have come before the Court?—No.

3856. Mr. *Grogan*.] I wish to bring you back to a subject we were speaking about before Mr. Roebuck took up the examination; it was with reference to the licence duty of 120 *l.*; you stated that you were a member of the Council at that time?—I was.

3857. Were you present at the Council when that tax or fee was imposed upon every licence?—I was.

3858. Do the members of the Council meet at any periodical times?—It depends entirely upon the will of the Governor.

3859. What number of licences may there be in the island for that purpose?—Four.

3860. Four

3860. Four public-houses?—Yes; one wholesale, belonging to the Hudson's Bay Company, and three retail.

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3861. What becomes of the revenue received from the sale of these licences?—£. 100 out of the licence fund goes to the judge every year, and the other 300*l.* are expended in public purposes; improving roads, &c., &c.

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3862. Is that the entire income derived by the Company from the island?—Unless land is sold.

3863. What extent of land may be sold in the island?—Probably not more than 10,000 or 12,000 acres.

3864. Is there as much as 8,000 acres sold to individuals?—I am not prepared to state exactly, but I think it is about that.

3865. Has it been paid for, do you know?—Most of it.

3866. What has become of that income?—It has been expended in making roads and bridges.

3867. You stated that the roads were very bad; what extent of roads are there in the island?—There are three or four roads leading from Victoria in the different directions, not more than eight or ten miles long from Victoria.

3868. The settlers who have purchased this land, I suppose, reside in the vicinity of these roads?—They do.

3869. And the roads were, probably, made up to their settlements?—Yes.

3870. *Viscount Goderich.*] If I understand you rightly, the money derived from these licences is expended for the benefit of Vancouver's Island, the colony, and not for the general purposes of the Hudson's Bay Company?—Not for the purposes of the Hudson's Bay Company.

3871. *Mr. Grogan.*] What quantity of your own farm have you under tillage?—About 60 acres.

3872. Have you a ready disposal of the produce of that?—No; it entirely depends upon the will of the Hudson's Bay Company what they will give a bushel for wheat or produce; they may either give us 1*s.* a bushel, or they may give us two dollars a bushel, as they please.

3873. Or they may refuse to take it at all?—They may refuse to take it at all.

3874. Has that fact ever occurred?—It has.

3875. In that case, what became of the produce so raised; wheat, for instance?—A great deal of it is in the stacks to this day, there being no market for it.

3876. Is the fact of there being no market for it, and your being entirely dependent upon the Hudson's Bay Company for the purchase of the wheat, a drawback to prevent the colonists from raising any greater quantity of it?—I am certain of it. If we had a market for it, three times the quantity, under the present means, could be raised.

3877. Then, in fact, the Hudson's Bay Company could draw any quantity of supplies they pleased from the island?—Not any quantity, but they could draw a greater quantity than is already produced.

3878. If that import duty of 20 per cent., to which you alluded as being paid on goods going into San Francisco, were abolished, have you any reason to think that the cultivation of wheat and other agricultural produce would greatly increase?—It would certainly.

3879. You have no doubt of that?—I have no doubt of it.

3880. You mentioned something about the fishing; will you give a little information on that subject?—There is no fishing of importance on Vancouver's Island, only on the rivers and coasts of the mainland; and there the Hudson's Bay Company hold the exclusive right of trade, according to their charter, of the mainland.

3881. In the Fuca Strait what is the case?—It is all open there.

3882. Any one may fish there?—Yes; but in Fraser's River, which is the only inlet into the mainland, in fact, no one is allowed to fish.

3883. Is that where the salmon is principally taken?—It is.

3884. *Chairman.*] That is a very valuable fishery, is it not?—It is.

3885. *Mr. Grogan.*] If any quantity of fish were taken by any of the emigrants that chose to devote their attention to it, what would become of it; have they the means of exporting and selling it?—Not very ample means.

3886. Have they means at all?—No; they would have probably to

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charter an American vessel to take it to some port south, or to the Sandwich Islands.

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3887. Have the Company any vessels that trade in fish themselves?—Yes; but they very often refuse to take freight.

3888. Do you say that from your own knowledge?—Yes, I do; I say it as a fact; no freight was to be brought up for settlers from the Sandwich Islands.

3889. *Chairman.*] Do you mean that they refuse to take freight upon system, or that they refuse to take freight either because there is not room for it, or because it would be inconvenient to them to go to the particular place where the freight is?—I believe it is inconvenient to them; they do not care about it; you must do it for yourselves if you wish it done, and not trouble them about it at all; if they do it, it is a very great favour for you.

3890. Mr. *Grogan.*] Are there any regular traders belonging to the Company which go to the Island?—One only.

3891. One in the year?—She goes several times in the year; but only one vessel.

3892. Viscount *Goderich.*] Where does she go to?—To the Sandwich Islands.

3893. Mr. *Grogan.*] Have any of the colonists ever been refused to have their goods sent either into the island by that vessel or out of the island by that vessel?—Into the island they have by that vessel, but not out of it, I think; the Company object to bring goods into the island; but I do not think they would object to taking goods either to San Francisco or to the Sandwich Islands.

3894. Viscount *Goderich.*] Can you tell why they object to it?—We can only judge by inferences, and our inference is that they object to anything like competition.

3895. With their own goods?—With their own goods.

3896. Mr. *Grogan.*] With respect to the fish, we understand that it is extremely abundant there?—Yes.

3897. And that there would be a ready sale for it in the Sandwich Islands?—To a certain extent; it is only a small market in the Sandwich Islands.

3898. Has any attempt ever been made by the colonists to open a market there for fish?—Yes.

3899. Has it succeeded?—Yes.

3900. And there is no impediment whatever in the way of sending any quantity of fish which the colonists could sell into this market if they pleased?—No, I believe not.

3901. You have never known any instances of that kind?—No.

3902. Have you travelled on the mainland, the British territory?—I have travelled by water; there are no roads; there is no opportunity of travelling by land on the mainland.

3903. You have only been up the rivers?—Up the rivers and along the coast.

3904. Have you visited Thompson's River?—I have not myself personally; I only have my knowledge from other persons who have been there, and who have given me that information; I have no reason to suppose that they were leading me astray, or giving me false information. They were persons who had lived there themselves, and had lived in that country, or in the neighbouring countries, in the service of the Company, probably 30 or 40 years.

3905. You have no reason whatever to doubt the information received from that source?—Not the slightest. I should have no hesitation in going there myself, if there was any inducement to go, upon the faith of the reports which I have heard.

3906. What distance have you gone up Fraser's River?—I have never been further north than Fort Langley.

3907. Just opposite?—About 60 or 70 miles up.

3908. As far as you went, namely, at Fort Langley, was there any district of land there adapted for colonists?—A large tract of land there.

3909. Among the colonists of Vancouver's Island, are there any gentlemen who have known that country and visited it themselves?—Yes, amongst the servants of the Hudson's Bay Company, who are really colonists, because they have land and have settled there.

3910. Do

3910. Do they know that district well?—Yes.

3911. They have lived in it?—Yes.

3912. And traversed it?—Yes.

3913. What report do they give of it as regards a colonial settlement, speaking of Fraser's River and that district, the mainland?—My own impression in general of Fraser's River is, that it is not at all favourable for the first few miles for colonisation.

3914. With respect to Thompson's River, what do they say about that?—That it is one of the most beautiful countries in the world, and that gold is discovered in that and the neighbouring district now. When I left the miners were getting from four to twenty dollars a day.

3915. Who are the miners that you refer to?—Americans chiefly, men who have gone there from the inducement of obtaining gold by digging for it, in the same way as in California, and in the course of time there will be a great number of American people settled there.

3916. Is there any settlement at all at Thompson's River belonging to the Company?—Yes, a small farm and trading fort. They have lately removed Fort Colville; that is in Colville district, about 400 miles from the mainland. When it was built, it was 20 miles south of the line, namely, the 49th parallel, and they have now built a fort on the north side of the line to dispense with the necessity of paying duties upon English manufactured goods, which they would otherwise if they sent them over to the old place.

3917. Is this fort for the purpose of the supplies of the Thompson's River district?—It is to supply the people who go there to dig gold with goods; that is the ostensible reason for the establishment of that fort; they have got a large quantity of goods there already.

3918. Viscount *Goderich*.] But if it is near the parallel, must it not be a considerable way from Thompson's River?—No, it is not.

3919. Mr. *Grogan*.] Are the Indians numerous in that district?—Not more so than in any other district, I believe.

3920. Mr. *Roebuck*.] Do you know the climate at Thompson's River?—I have mentioned that the climate is one of the most beautiful climates in the world, I believe.

3921. That is a general expression?—I believe it is capable of producing all the crops that we produce in England; probably the winters may be a little more severe; I am not prepared to say that they are, but they may be a little more so.

3922. Comparing it with Canada, were you ever a winter in Canada?—I was there part of last winter; there is no comparison; it will not bear a comparison.

3923. It is much more mild; much finer?—Decidedly as much as Great Britain is to the Eastern States of America; there is as much difference.

3924. I believe that that difference attaches to all the territory west of the Rocky Mountains?—It does.

3925. Is that in the same parallel of latitude on the west of the Rocky Mountains, and on the east you have very different climates?—As different as it is possible to imagine.

3926. All the British territory west of the Rocky Mountains, a great way north of Vancouver's Island, is as you suppose, a place habitable by man, and very fit for a colony?—It is so, particularly a short distance from the coast; the coast far north is rocky, and appears unapproachable, but inside it is a fine open country.

3927. Mr. *Lowe*.] What is your opinion of the price of 1 £. an acre for land; do you think it a proper price?—I think that it is extortionately high; for instance, why should people go to Vancouver's Island and pay 1 £. an acre, when only eight or ten miles from it they can get as good land, with many more advantages, for a dollar and a quarter, in the American territory?

3928. Do you think that that is one of the causes which have retarded the growth of the colony?—It is a great drawback to it.

3929. Mr. *Roebuck*.] You say there are many advantages which belong to the American territory; what are they?—They have many ports; they are not excluded; we stand by ourselves, we are entirely alone; there are also many settlers in Washington and Oregon territories on the coast.

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3930. That advantage attaches to the fact of their being American settlers?  
—Yes.

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3931. It does not refer to any peculiarity in the government of Vancouver's Island?—I contend that if a person went to the opposite side and paid a dollar and a quarter per acre, instead of 1 l. an acre as in Vancouver's Island, he would have many more advantages. Of course, from the fact of his going there to buy land he becomes an American settler.

3932. *Chairman.*] I think you stated that in America there was a duty upon all foreign imports of about 20 per cent.?—From 20 to 30 per cent.

3933. In Vancouver's Island, I presume, they are free?—All goods are imported duty free into Vancouver's Island.

3934. Do you think that that is an advantage or a disadvantage?—A very great advantage.

3935. Mr. *Grogan.*] You conveyed the impression to me that if Vancouver's Island were an imperial colony, and not under the Hudson's Bay Company, as at present, you would be able to import your goods into the American territories without the duty of 20 per cent.?—I believe that it would be an impetus to British subjects to go and open a trade there; that they would be under the impression that they would have justice done them without monopoly, and that they would have proper courts of justice to administer the laws, and that they would go there without any fear of misrule or mismanagement.

3936. What would be the effect as regards this 20 per cent. import duty upon goods going into America?—It would be a great advantage if they could get it taken away.

3937. Viscount *Goderich.*] But that duty is imposed upon this produce as foreign produce, not as the produce of the Hudson's Bay territory, or any particular territory?—If we import timber, although it is actually the same, or perhaps of a little better quality, from Vancouver's Island into San Francisco, there is a duty of 20 per cent. upon it, whereas ships would load on the opposite side to us, and go in with the same cargo free.

3938. Mr. *Roebuck.*] That 20 per cent. is levied upon your goods because they happen to come from British territory?—Because, unfortunately, we happen to be British subjects.

3939. Not because you are under the Hudson's Bay Company?—It is because it is a British territory.

3940. So that this 20 per cent. is in no way connected with the rule of the Hudson's Bay Company?—Not at all; it was formerly so in Canada, until the reciprocity treaty was entered into.

3941. Mr. *Edward Ellice.*] You said that merchants would go there to trade; with whom would they go there to trade?—I mentioned that they would go to trade there if we were admitted in the Canadian reciprocity treaty.

3942. With whom?—The American people; even now a great many people come over to Vancouver's Island from Washington territory to buy goods, and, with enterprise, I have no doubt myself that a great trade could be done there, by taking a large supply of British goods, and supplying the British market; the whalers may be induced to come there; I know of my own knowledge that they only want asking to come, and they would winter there.

3943. You say that the only impediment to it is the want of proper courts of justice?—No, I do not say that at all; the only impediment is the rule of the Hudson's Bay Company; even if they were to have proper courts of justice they would not settle under the Hudson's Bay Company; there would be the same drawback as ever.

3944. Mr. *J. H. Gurney.*] You say that the whalers only want asking to induce them to come; will you explain that point a little more in detail?—I happened to be the fellow passenger of one of the proprietors of a large fleet of whalers, and he was seriously thinking himself, instead of sending the vessels to the Sandwich Islands or San Francisco, of sending them there; he said that there were not the same inducements to the sailors to run away.

3945. What prevented his doing so?—From the fact that he did not think they would be able to obtain supplies at present from the settlers.

3946. That is to say, that the number of settlers was not sufficient to raise the requisite supply?—Not sufficient to raise the quantity of provisions necessary to supply a hundred sail of whalers.

3947. With



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3947. With regard to the discovery of gold at Thompson's River, are you aware when that took place?—It has been discovered now probably 18 months.

3948. Can you give the Committee any idea of the number of miners who are now settled there?—None at all; it is at Fort Colville where the gold is discovered; not at Thompson's River.

3949. Mr. *Edward Ellice*.] It is an American territory, is it not?—It is in both American territory and British territory; the further north they go the better the diggings are.

3950. Mr. *J. H. Gurney*.] Therefore there are those miners in the British territory as well as in the American territory?—Yes.

3951. Mr. *Edward Ellice*.] How do you know that?—From people who have been there.

3952. Are there miners in the Thompson's River district, the British territory?—Yes.

3953. Americans?—Both Americans and British. Wherever there is gold there is a rush of people.

3954. Mr. *J. H. Gurney*.] Are you aware whether the Hudson's Bay Company's officers have held any communication of any description with those miners who are located in the British territory, whether they have taken any cognisance of their settling there, either favourably or the reverse?—No, I do not know that they have. It would be impossible to take any measures to prevent their going there; it would require a large force to turn them away; and if gold is discovered there, there will be as great a rush to that country as to California.

3955. Mr. *Edward Ellice*.] If you look at the map you will see that Fort Colville is not on Thompson's River?—I am aware of that; it is on the Columbia River.

3956. Where did you say that the gold was on Thompson's River?—I did not say that it was on Thompson's River; I said that it was in the neighbourhood of Fort Colville.

3957. Fort Colville is in American territory, is it not?—The old Fort Colville is; but the new Fort Colville is in the British territory.

3958. Do you know that the gold seekers have crossed the boundary to the north and gone towards Thompson's River?—Yes, they have gone here and there; wherever gold is to be found there you will find the people.

3959. Do you know that they are north of the boundary?—I say they are north of the 49th parallel.

3960. Where do you derive that information?—From people who have actually returned from there during the last winter before I left.

3961. What were those people; were they Americans?—No, they were English people.

3962. Were they in the employment of the Hudson's Bay Company?—No, they were settlers like myself who had been there.

3963. Settlers where?—In Vancouver's Island.

3964. Had they returned to Vancouver's Island?—They had before I left.

3965. By what route did they come to Vancouver's Island?—They came down the Columbia and passed over the portage.

3966. Mr. *J. H. Gurney*.] With reference to the fisheries in the Straits, what are the fish caught there?—Salmon.

3967. The same as in the River Fraser?—Yes.

3968. You mentioned that in Vancouver's Island there was a great deal of broken ground. What did you intend to convey by the term "broken ground"?—That some of it is mountainous.

3969. Rocks rising up?—There are some rocks there.

3970. But not to any extent to prevent agriculture when the land is cleared?—In some places there are very large tracts of country without any rock at all.

3971. Are the present settlers scattered over the whole of the island, or principally confined to the southern portion of it?—They are confined to the neighbourhood of Victoria.

3972. What is the greatest distance from Victoria where there is any agricultural settlement at present?—About 20 miles; that is only one instance; there is one family about 20 miles off; the others are not more than six or seven miles.



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3973. The furs which are obtained in Vancouver's Island by the Hudson's Bay Company are obtained of course from the Indians?—Yes; very few furs are caught upon Vancouver's Island.

3974. What there are, are probably chiefly from the northern portion?—From the coast and from the main land.

3975. Viscount *Goderich*.] I understand you to say that the Hudson's Bay Company practically pay their servants to a great extent in goods?—They do.

3976. Will you have the goodness to state to the Committee a little more fully than you have previously done, what you believe to be the reason of that proceeding?—The want of cash in the country, and also that if the Company can induce their servants to take goods at 50 per cent. profit, it is a great advantage to them that their servants should take goods.

3977. They make a profit, you conceive, upon them?—A profit of 50 per cent. when goods are sold to their servants instead of paying them money.

3978. Mr. *Edward Ellice*.] Supposing that the Hudson's Bay Company owe one of their servants 100 £, does he take any more goods from them in respect of that 100 £ than he actually requires for his own consumption?—No, probably not.

3979. Then I presume that the balance is paid in money?—Perhaps they have no money to pay it with out there.

3980. Then how is it paid?—It remains in their books on credit.

3981. Upon the ultimate liquidation, what is done?—If he came to England of course he would be paid.

3982. He would be paid, in fact, by a bill upon England?—He would be paid by a bill upon England, I suppose, which is comparatively useless to a labouring man, as he cannot negotiate it, except, perhaps, at a great sacrifice.

3983. Viscount *Goderich*.] But he receives no interest upon the money remaining in their books, I suppose?—None at all.

3984. Mr. *Edward Ellice*.] Do you know that as a fact?—I do; all persons with a running account receive no interest.

3985. But when it becomes a deposit account, what is the case?—Their officers may probably get 3 or 4 per cent.; but we were speaking more of the labouring class, not of the officers.

3986. Mr. *Kinnaird*.] You spoke with regard to the whaling; which port was it that was contemplated?—Esquimaux Harbour; it lies in the south-east.

3987. If there were provisions, is it well adapted for a whaling station, in your opinion?—It is one of the finest harbours in the world, and is adapted, in every sense of the word, to their purposes, and is capable of affording them every facility which they require.

3988. Was the Company which was contemplated to be carried on with English capital or with American?—It was an American Company entirely; all the whalers in the Pacific are almost exclusively American.

3989. Mr. *Gregson*.] What is the depth of water?—Seven and eight fathoms.

3990. Mr. *Kinnaird*.] They would come there instead of which other port?—Instead of going down south to the Sandwich Islands or San Francisco, where there are great inducements for their men to run away.

3991. Was there much communication when you were living there between San Francisco and Vancouver's Island?—No, not a great deal; but from the opposite side of the Straits there was a communication probably three times a week by sailing ships.

3992. How long would a steamer be going from San Francisco to Vancouver's Island?—Two days and a half is the average passage, sea-going ships.

3993. Do you suppose that if great facilities were given a stream of emigration might grow from San Francisco direct there?—It is only matter of opinion, but that is the opinion of a great many people to whom I have spoken upon that subject; of course there is nothing positive about it until the result is proved.

3994. Mr. *Gregson*.] No parties have come from San Francisco as yet?—Not to remain; we had one gentleman, Mr. Swanston, who came; he left.

3995. Mr. *Christy*.] With reference to the land which is disposed of to the settlers in Vancouver's Island, is it given to the settlers upon application without any difficulty?—In some instances it is, but not all.

3996. Are you aware that any application has been made to the Hudson's Bay Company for land which has been refused?—Yes.

3997. On

3997. On what ground?—Unless they would comply with the prospectus of the Company; that is to say, to take out so many men for every hundred acres. There was a servant of the first Governor appointed to the colony since it was declared a colony, Mr. Blanchard; when he left his servant wished to go out there again; they would not allow him to go unless he would take out so many men for his land, according to the prospectus of the colony.

3998. Are there any reservations of land?—There have been, but I believe under late regulations they were dispensed with; for instance, there were a clergy reserve and a school reserve, but I think that lately, finding that they would not answer, they have been thrown open to sale.

3999. How lately do you suppose?—Within the last 12 months, I think.

4000. Mr. *Edward Ellice*.] All these regulations are under the Colonial Office, are they not?—I believe so.

4001. Mr. *Kinnaird*.] Had you many schools there for the benefit of the natives?—Not one for the benefit of the natives.

4002. How many were there for the Europeans?—Two.

4003. What was the character of the schools; were they well conducted?—They were well conducted schools; three young men who had been sent out from this country conducted them.

4004. Mr. *Grogan*.] Sent out by whom?—By the Hudson's Bay Company, but on account of the colonial expenses, to be paid, of course, by the Colonial Fund.

4005. Are there any schools for the education of the Indians?—Not one.

4006. Mr. *Kinnaird*.] And is there nothing done for the Indians?—Nothing at all is done; there has been no attempt at civilisation at all.

4007. Or at Christianising?—Nothing at all.

4008. Mr. *Grogan*.] You said that the Indians resided on the sea coast; do they generally reside in villages on the coast?—Yes; each tribe has a village of its own.

4009. They are not scattered abroad in the country?—No.

4010. Then there would be no difficulty in establishing schools and churches for them, if it were thought right?—None.

4011. But no steps for that purpose have been taken?—No; except, as I mentioned before; that one or two Roman-catholic priests have been amongst them.

4012. Have any chapels been erected?—The Roman-catholics have one chapel.

4013. Where?—In Victoria.

4014. Mr. *Charles Fitzwilliam*.] At Nanaimo, at the coal-mine, there is a large tract of country, I believe, taken up by members of the Hudson's Bay Company?—Yes, by the coal company.

4015. How many acres?—Some 2,000, I believe.

4016. Has a settler been sent out for every 20 acres of that 2,000 acres?—No, decidedly not.

4017. Has that land been paid for?—I believe it has.

4018. Ninety per cent. of the money goes to the Colonial Fund?—Yes.

4019. How is that money expended?—The money that has been expended of the colonial funds has been expended in making roads and bridges, and building a church, and establishing schools.

4020. You say roads and bridges: where have the bridges been made?—There is one across Victoria Harbour.

4021. From what point to what point?—From the town site, on the Victoria side, to the opposite side of the harbour.

4022. To the Indian village?—To the Indian village.

4023. At what cost was that made?—About 1,000 l.

4024. Do you consider that a large amount of money to be expended on one bridge, or a small amount of money?—I consider it a large amount of money to be expended on one particular structure, although in itself it is useful.

4025. Was there no other points on that arm of the bay across which a bridge could have been constructed at a much smaller expense?—There were three at least, and one in particular.

4026. Where is that one?—At the Gorge.

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4027. That is how far from the town?—About a mile and a half.
4028. By making a bridge across from the town to the Indian village was the distance much shortened?—No; I do not think so; not any.
4029. Where did the road lead to that crossed that bridge?—It will be, eventually, the trunk road into the interior.
4030. What settlements are there in the interior?—There are no settlements at present; only one or two squatted farms, such as the Esquimault farm.
4031. The Esquimault farm at the head of Esquimault Bay?—Yes; that is the direct road to it.
4032. Was there a road up to Esquimault farm?—Not before that.
4033. Are there any settlements beyond Esquimault farm?—Yes.
4034. Where?—One at Herbert Head; one at Metchosen, and one at Sooke.
4035. Is there a road to Metchosen and a road to Sooke?—One road takes them all.
4036. Is it a road on which carriages can go?—Part of the way; but there are a great many obstructions in the way at present, such as gullies and the want of bridges.
4037. So that 1,000 l. was expended on one bridge, and places where bridges were required on the road were left without?—Yes.

Jovis, 28<sup>o</sup> die Maii, 1857.

## MEMBERS PRESENT.

Mr. Christy.  
Mr. Edward Blice.  
Mr. Charles Fitzwilliam.  
Mr. Gladstone.  
Mr. Gregson.  
Mr. Grogan.  
Mr. J. H. Gurney.

Mr. Percy Herbert.  
Mr. Kinnaird.  
Mr. Labouchere.  
Mr. Lowe.  
Mr. Matheson.  
Sir John Pakington.  
Lord John Russell.

THE RIGHT HON. HENRY LABOUCHERE IN THE CHAIR.

The Honourable William Henry Draper, C.B., called in; and Examined.

Hon.  
W. H. Draper, C.B.

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4038. *Chairman.*] WHAT situation do you hold in Canada?—I am Chief Justice of the Court of Common Pleas of Upper Canada.
4039. How long have you held that situation?—I have held the office of Chief Justice a little more than a year, but I have been upon the Bench of Upper Canada for nearly 10 years.
4040. What other public situations have you held in Canada?—I was appointed to the Executive Council of Upper Canada in the year 1836. I was appointed Solicitor-general of Upper Canada in 1837. I was appointed Attorney-general of Upper Canada in 1840. I held that office until some time in the latter part of 1842; I was re-appointed in 1844, and I continued to be Attorney-general from that time until I was appointed to the Bench.
4041. How long have you been resident in Canada?—I landed in Quebec on the 16th or 17th of May 1820; I have been a continual resident in Canada since that period.
4042. Under what circumstances are you now visiting this country?—I was requested by the Government of Canada, through the medium of two of its members, to undertake the duty of coming to England for the purpose of watching the investigation which, it had been communicated to them, was to take place before a Committee of the House of Commons, with the view of pressing whenever I deemed it necessary for the interests of the province, certain views which the Government of the province adopted in reference to their rights and interests in this question. I had written instructions from the Government

Government of Canada to that effect, which I can lay before the Committee, if they desire it. They were communicated to me through the provincial secretary, and emanating from the Government, giving me general directions what I was to do.

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4043. Sir John Pakington.] As before this Committee?—In coming to England; generally pressing upon Her Majesty's Government the views of the Government of Canada, as well as attending before the Committee from time to time to watch the nature of the proceedings and what is going on.

4044. Chairman.] Have you any objection to put in those instructions?—As far as I am concerned, I should rather, in that respect, look to you, sir, as the representative of the colonies; and if you see no impropriety in their being put in, I have no objection personally whatever. I do not consider myself responsible for their production; I leave that to you; but I am ready to produce them if desired.

4045. If you see no objection, I do not apprehend there can be any, and you will therefore have the goodness to put them in?—I will send for them.

4046. In point of fact, you came over in consequence of a despatch which I wrote to the Governor of Canada, communicating to the Governor the intention of Her Majesty's Government to propose to the House of Commons to appoint this Committee?—I presume so, but I have no special knowledge of that particular fact; I have understood that such a letter was written.

4047. Did not you see the despatch?—I have never seen it.

4048. Sir John Pakington.] But you were instructed by the Government there to come to England?—Yes; not for the purpose, let me be understood, of attending and doing what I am now doing, namely, giving evidence; I received no instructions to that effect.

4049. Chairman.] I see that the language used by the Committee of the Executive Council which was appointed to consider this question, is "The Committee of Council have read with great satisfaction the despatch of the Secretary of State for the Colonies of the 4th of December last, on the subject of the Hudson's Bay Company's occupation of the great north-west territory of America." They subsequently state, "The Committee are most anxious that Canadian interests should be properly represented before the proposed Committee of The House, and that opportunity should be afforded for carefully and closely watching any evidence that may be adduced before that body, and they will take the earliest occasion of suggesting to your Excellency the manner in which they conceive this can be best accomplished." Subsequently to that, I think, they requested you to come over?—It was exactly so, and the instructions involve very little more than what you have just read. I have not been authorised by any instruction which I have received to appear before the Committee as a witness.

4050. Sir John Pakington.] Was this report of the Committee of the Executive Council of Canada communicated to you before you came to this country?—That report was not officially communicated to me.

4051. Was it in your possession?—Nor was it in my possession. I have never had it in my possession at all. I do not wish to be understood as saying that I was ignorant of it, but I had no official communication of it.

4052. Mr. Christy.] Did they limit you in any evidence which you might give, or any course which you might take?—I am rather sorry to say that they gave me too unlimited a discretion, one which, since I have been in England, I have been continually urging upon them to limit by more express and defined instructions.

4053. Then they left the whole course to your own discretion?—Very much indeed. Very much more so than I should have desired, or than I would have undertaken, had time permitted for an investigation into it.

4054. Chairman.] Have you any personal knowledge of any portion of the territory belonging to the Hudson's Bay Company?—I have not; I have never been nearer to it than the eastern portion of Lake Superior.

4055. In what manner do you conceive that the inquiry before this Committee particularly affects the interests of Canada?—First, very materially with regard to what I conceive to be the true boundary of Canada. I may say, secondly, with regard to the deep interest that the people of Canada have, that that territory should be maintained as a British possession. I may say, thirdly, because the people of Canada look to it as a country into which they

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ought to be permitted to extend their settlements. Those three points I think would involve all that I could say upon that subject.

4056. Taking the points in the order in which you have mentioned them; first of all, with regard to the question of the limits of the province of Canada, are there any statements which you wish to lay before the Committee on that head?—I should say with regard to that point that the view which is taken, be it sound or unsound, is this: at present it is understood by us that the Hudson's Bay Company claim as a legal right all the land which is drained by any streams, no matter how remote their sources may be, which flow into either the Hudson's Bay Straits, or Hudson's Bay. We consider that that is an ill-founded claim, principally upon this ground, that it is a claim of which we can find no trace until a very modern period, and is quite inconsistent with the claims advanced by that Company for nearly a century and a half. To save time I have prepared extracts from various documents, emanating from the Company themselves, with some few other documents; it is a paper which it would save a great deal of time to put in, because I can give every place where the extracts are taken from, and therefore reference to the original documents can always be had. I would also desire to say that in every extract which I have made, I have made it a complete extract of all that is stated on the question, and if it involves anything favourable to the Hudson's Bay Company, it will be found in those portions of which I have made the extract.

4057. Are those extracts made from documents which are accessible to every body?—I believe I may say every one; I think so; easily accessible.

4058. Sir John Pakington.] They specify of course in every case what they are:—Yes. (*The Witness delivered in the Paper.*)

Vide Appendix.

4059. Chairman.] Upon this question of the boundaries of the colony, passing by for the moment to the question of legality, will you have the goodness to state to the Committee what you think it would be for the interest of the colony of Canada, to do with regard to boundaries?—The first point which we should desire I think with regard to the interests of Canada, would be to obtain a determination of what our boundaries actually are; knowing that we are then in a better position to state whether we desire to go beyond them, and if so, for what purposes and to what extent.

4060. Will you favour us with your individual opinion of what it would be for the advantage of Canada to have as boundaries; how far you would extend them?—I should myself propose, if I were making a proposition upon a subject of that sort, that Canada should have in the first place a free right to explore and survey, in order to ascertain the capabilities of the country; in the second place, to open communication roads in the manner pursued in that country, by putting settlers on each side of them with free grants, which in the course of a comparatively short period of time, facilitates the intercourse with those portions of the country which hitherto have been inaccessible, or very difficult of access by persons going to settle; in the next place I should propose that Canada should be permitted to lay out townships, and that as fast as she did actually lay them out and settle them, those portions of the territory so settled should become incorporated with and form part of the province; I would limit it under all circumstances and at any distant period by the Rocky Mountains; I should never dream of pushing beyond them.

4061. Sir John Pakington.] Would you claim that right of survey without any limit, except the Rocky Mountains?—Yes.

4062. Chairman.] Do you think that at present Canada could conveniently or efficiently govern and manage the whole of that vast territory to the east of the Rocky Mountains which belongs to British North America?—If you say at this moment, I shall be obliged to answer in the negative, because at the present moment our communications are not opened; we have not yet established the prospect of opening them; and to undertake to govern a country which we do not know that we can get at, would be a rash and unwise step, which I think no one would ever think of taking. That is why I premise that we should desire to survey and explore before we do anything else. When we speak of governing the whole of that country it involves the consideration that, unless the country be put under an efficient government of some sort, we entertain (I speak for myself individually, but I believe I am speaking the sentiments of large numbers of the inhabitants of Canada) a very serious apprehension.

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prehension that if something is not done that territory will in some way or another cease to be British territory; and upon that point they feel an extreme anxiety. Any one looking at the map can see that the effect of that would be to cut off a portion of the British Empire from all possible communication with the Pacific; and therefore they look at it with extreme anxiety, and it is with the view of insuring, which they think they could more effectually do than any one else, the maintenance of British authority within those possessions, that they entertain the views which I have just stated, and which I myself entertain and advocate.

4063. I presume, from the answer you have just given, that the point to which you would attach the greatest importance is, that all that country which borders upon the territory of the United States should be settled as speedily as circumstances will admit of, and effectually protected?—Certainly I mean that; and I wish to call attention, in addition to this particular consideration, that the natural outlet of that country appears rather to be into the United States, and that therefore it becomes a large consideration, in order to open communications with Canada, that Canada should have a direct interest which would induce her to apply her resources to that particular view.

4064. Take, for instance, the Red River Settlement, do you believe that it would be possible for Canada at once to undertake the duty, and incur the charge and expense of managing and governing that country?—Expressing my own opinion, I say distinctly not at present. I think it would be necessary, until the settlements which I have projected could be carried into effect, that an *ad interim* provision for the government of that country should be made.

4065. Supposing it were thought desirable to govern that country as a British colony directly, and that arrangements were made with the Hudson's Bay Company by which that could be done, do you think it would be essential that that country should be connected with Canada, or would it not answer even Canadian purposes equally as well if it were a British colony in some other form?—If it is ascertained to be a settled point that no really available communication for commercial purposes can be made between Canada and that settlement, if nature has interposed an insuperable barrier, then, of course, we must yield. But assuming that there is no such insuperable barrier, then I think that when once we have made this a continuous range of settlements from Canada to the Red River Settlement, it can be better governed as a British possession, forming part of Canada, than in any other way. I believe that, to facilitate that object, Canada would be ready at once to permit exports through her territories, even while she was carrying on the roads; that she would be quite willing to relieve all imports into that country from duty, to enable them to raise a temporary revenue for that very purpose.

4066. At present, would it be possible or convenient for Canadian institutions to be introduced into the Red River Settlement, and for representatives of that settlement to attend the Canadian Legislature?—In my own judgment, I should not propose that, until such time as the settlements from the north-western portion of Canada were extended to the Red River Settlement; I look upon it as a temporary proceeding, and that the representative institutions of Canada should extend just as far, and no further, as her actual settlements extend. I think that in proportion as those settlements can be extended, the institutions which we have, should be extended over those portions of countries so settled.

4067. With the present limits of Canada, has any practical inconvenience been found from the want of being able to extend the settlements as fast as the population was ready to go there?—I believe that the government at this moment have very little land indeed lying between the three great lakes for disposition.

4068. Do you believe that the fact of this territory being under the government of the Hudson's Bay Company has prevented any settlements from Canada that otherwise would have been made there?—It is difficult to answer that question, except by assuming that people who have left Canada to go to the territory of Minnesota, or who are about leaving it for that purpose, would have gone perhaps as readily to the valley of the Saskatchewan if it had been thrown open for settlement; it is an assumption; I cannot speak of it as a fact.

4069. Are you inclined to entertain that opinion yourself?—I can myself only refer to the contemplated emigration from the Glengarry country, where the Scotch Highlanders settled a great many years ago, and where the soil and climate

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climate are somewhat unfavourable; from that or from some other cause, which I am not able to suggest, because I do not know it, I am informed that there is an emigration proposed which is going to the territory of Minnesota from that country, and I think we are losing some fine hardy valuable settlers from that cause.

4070. If that territory to which you have referred were annexed in some form or other to Canada at once, in what manner would you propose to administer its government?—I have not digested the matter very much in my own mind; but, throwing it out as a rough suggestion, I should suppose that it must be by a governor and council, with legislative powers suited to the immediate necessities of the colony, and that that council being appointed by the Crown (assuming as a point of policy that the territory is to become Canadian hereafter) should at all events partially be composed of persons having an interest in or connexion with the province of Canada.

4071. You would govern it in some degree as a territory?—Precisely so; by a governor in council, with certain legislative powers, until you could extend the right of sending Members to the Canadian Legislature, an extension which I should conceive desirable at the very earliest practicable moment.

4072. Do you not anticipate the possibility that, supposing those settlements to flourish or become considerable, the distance of that country from Canada would make the inhabitants desire rather to have a colony of their own and a settled government than to be an appendage to a government so far distant from them?—I should say that they would be an integral part of it, and not an appendage, when the idea which I have suggested was carried out; then it would be a mere question of convenience of communication from one portion of that province to the other, or to the seat of government.

4073. Do you think that there would be any objection to postpone the question of the annexation or non-annexation of this territory to Canada until the period when circumstances should show that that degree of interval between the two countries had been filled up by settlers, and what were the wishes and feelings of the colonists themselves?—If Canada is to be at the expense of survey, and the expense of settlement, which was a matter involved in my proposition, then as a matter of course it would not be considered right, I suppose, for the Canadians to incur the expense of settling the country for the benefit of an independent portion of the Queen's dominions.

4074. Supposing Canada were not put to that expense, would it alter the question?—It would alter the question only to this extent; if there were another mode of communication (I do not mean, of course, through the United States), by which that colony could be approached from Europe, and by which commercial intercourse could be conducted, that which in my mind presents the greatest difficulty would of course be removed; but at present, I am sorry to say, that I think the obstacles to getting into that country in any other way excepting from Canada (excluding the United States), are greater than they will be found upon examination to be getting at it through Canada; and if you will bear with me for a moment I will give very generally and briefly my reasons for that conclusion. Of course I cannot pretend to question the opinions of those who having travelled through the country must have had better opportunities of judging than I have had of the facility or difficulty of communication, but I would take the liberty of making this observation, that the French conducted all their trade with that country not only through the particular portion of it now considered to be almost impassable, but also the whole way up the River Ottawa, at a time when there was not a single settler above the falls of Chaudiere. I have a map, although I have not it with me, showing the number of townships laid out on the Lower Canada side of that river, extending to within a comparatively very short distance of Lake Nipissing. Now the difficulties of travelling up that river, instead of being what they used to be, when there was great difficulty in obtaining supplies of any kind, are lessening every year. The Canadian Government, at this very moment, have a party employed in surveying, with a view to the improvement of the navigation of that river; so that the difficulty would be reduced to the difficulty between the head of Lake Superior (the western portion of it) and the Red River Settlement. Even supposing the Ottawa not to be improved, you can go at present from Montreal to Toronto without a transshipment at all. You can cross from Toronto, a distance



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distance of between 90 and 100 miles, I think some 95 miles, by railway, to a port on Lake Huron. You can go by steamer from Lake Huron to the head of Sault Saint Mary. There is a canal through the American territory there, passable by vessels of a sufficient size to navigate Lake Superior, and you can therefore land with one transshipment, and without one if you go through the Welland Canal, goods shipped at Montreal for Fort William. When the French carried on their trade with the Indians, I think one of their forts was on the river Saskatchewan, and when the North-west Company extended their settlements to the westward of the Rocky Mountains, they took all their supplies up the river Ottawa, against all the difficulties that I have spoken of. Consequently, if they could carry on a profitable trade there, a trade which had to be carried on upon men's backs in every portage that they had, I should think that when you have been settling a country, and putting people on every portion of it which is capable of agricultural settlement, you will not find that difficulty of which I have been speaking, because they will not stick to the canoe route. To take the instance of the Lake of the Woods, subject to one difficulty which I will mention, any one will see that there is a very much shorter communication in point of distance (whether it is practicable or not, never having been across it I cannot pretend to say, but I am not aware that it is impracticable), from the Lake of the Woods across to the Red River Settlement, taking the chord of the arc instead of taking a long parabolic arch.

4075. In short, your opinion seems to be, that it would be both true policy for this country and just to the colonists that any part of the territory to the eastward of the Rocky Mountains which could be brought into settlement and cultivation, should be ultimately added to the colony of Canada?—That is what I wish to be understood as saying.

4076. I think you base that opinion a good deal upon the circumstance that in your judgment Canada would always be the necessary line of communication, so far as British territory is concerned, for the trade and intercourse of that colony?—As I understand the navigation of the Hudson's Bay and Straits to be limited to a very few months in the year, I think that the only real communication through British territory is necessarily through Canada. I think that that would be found to be the best line of communication, unless, as I have said, it should be found that nature has interposed insuperable obstacles, which I do not believe.

4077. Do you believe that the colony would be disposed to undertake the expense of surveying and settling this country if an arrangement of that kind was concluded?—I believe that they would at once undertake the survey and exploration without any hesitation. Upon the result of that would depend, I presume, the question whether they would like to go any further. If they found that they could not communicate, I take it for granted they would not desire to take the country, or to pretend to take it, when they could exercise no sufficient control over it.

4078. If the Red River Settlement were erected into a territory in the manner which you propose, as a sort of appendage to Canada, do you believe that the Canadian people, or the Canadian legislature, would be disposed to incur any expense in the management of the Government there?—For myself, I am so little connected with the politics of the country, that I cannot pronounce a decided opinion; and I have had no authority to speak upon that question.

4079. Could they derive any colonial revenue from that country?—Very little, I presume, in its present state, because the consumption of 7,000 or 8,000 people, which I understand to be the number of the population, would yield a very small revenue at present.

4080. It of course would be necessary to have a court of judicature to protect the country in some way?—Of course. With regard to that, I would say that this is not a new question; it is a question which was discussed and considered a good deal by a commissioner appointed under the authority of the Government in the year 1817 or 1818; I allude to Mr. Coltman, who, together with Mr. Fletcher, was appointed a commissioner to investigate the difficulties existing between the Hudson's Bay Company and the North-west Company before their coalition, and Mr. Coltman reported some views upon that subject;



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whether they were ever adopted by Her Majesty's Government, I have no means of knowing; I am quite sure they must have been submitted. His report will be found in the printed Journals of the House of Commons of 1819. I can refer the Committee to the exact page of it.

4081. At present in Canada you have no trouble with the Indians, I believe?—None whatever.

4082. Are you at all apprehensive that the Red River Settlement might bring you in contact with the Indians who would be troublesome?—Not if the Indians were justly dealt with.

4083. I believe there have been very disastrous conflicts on the American side of the border, at no very great distance from the Red River Settlement, between the Indians and the white men?—There have been very disastrous conflicts to the west of the Rocky Mountains, I am not aware of any to the east of the Rocky Mountains; there may have been individual quarrels; I will not enter into that, but there have been for a length of time no very serious conflicts, I believe, to the eastward. To the westward a most disastrous war has been pending for a very considerable length of time, and I believe it is pending still. To the southward, again, a very long contest has taken place from the determination of the United States Government to turn the Indians out of a particular portion of the country, but that does not, so far as I am aware, embrace that portion of the territory lying at the head waters of the Missouri River.

4084. Supposing the extension of the limits of Canada, and the settlement of any part of the territory of British North America which would be supposed to be adapted for settlement within any considerable term of years that you could look forward to, were provided for, do you then think that it would be inconsistent with Canadian interests to leave for a considerable time that portion of the territory which manifestly we cannot look forward to as being susceptible of settlement, to the management of the Hudson's Bay Company in the same manner as at present?—Do you mean with rights of territorial government, or with the rights of exclusive trade, or with both?

4085. Exactly as they are now in possession, with the rights which they now claim and have exercised?—Those involve both the principles, as I understand their present claim.

4086. Without raising the question of legal right in the Hudson's Bay Company to leaving that in abeyance, as it now is, would you object to confining them within a territory considerably to the north of the line which they now have?—The only difficulty which I have in answering that question is, that in giving my own opinion I believe that I should express an opinion which is not shared in by a great many people in Canada, and I would wish that to be distinctly understood. My own opinion is, that for the purpose of preserving peace among the Indians, and preventing difficulties arising, it is of great importance, for some time at all events (I should say a limited time), that the Hudson's Bay Company should maintain those stations and that trade which they have hitherto carried on, which have kept the Indians at peace. That is my own individual opinion, founded upon this consideration, that wherever I have seen an instance, as far as I have been able to read or ascertain about it, in which there have been rival traders, it has had two effects; first of all, the indiscriminate and unlimited use of spirituous liquors to draw the trade, which is of itself a most prejudicial thing to the Indians; and, secondly, that it has prompted and promoted those quarrels between rival traders which have had one of two effects, either to produce sometimes bloodshed, or at last to produce, as has been the case between the Hudson's Bay Company and the North-West Company, a combination of interests, when the parties can only repay themselves by carrying on their trade with the Indians upon terms which are anything but advantageous to the Indians who have to purchase goods from them.

4087. You have stated, in expressing this opinion, that you believe it is not universally entertained in Canada?—I do.

4088. Do you think, however, that it is entertained by the majority of the persons in Canada who have attended to the subject?—I think that there are, perhaps, two or three classes of people at the present moment who are agitating this question in Canada. I should not be speaking candidly and fairly to the Committee if I did not say that I think a very large portion of those who are

most

most prominent in that movement are so from a desire to share in the commercial profits of the fur trade; I think that that is unquestionable; but I think there is another portion of them, and a very considerable portion too, who look to future consequences more than to that question, and who are actuated by what I have already referred to, namely, the fear that if something is not done effectually and promptly that territory will cease to be British territory.

4089. How far back do you think it would be desirable to throw the frontier to the north for the purpose of giving opportunities for settlement in the manner which you have described?—I understand by that question how far there might be the exclusive right of trade which I have spoken of as that which should be reserved; how far from the north it should extend to the south, leaving an intermediate space in which there should be no such exclusive right, but which should be open to settlement.

4090. Exactly so?—I have no personal knowledge of the territory whatever; all I know of it has been derived from books or other documents which I have consulted from time to time upon that subject. It has occurred to me that the line once proposed by the Hudson's Bay Company themselves, shortly after the peace of Ryswick, would reach about the extent of what would be the land desirable for settlement; I suppose that the most valuable portion of the land for settlement would be found to lie in a parallel of latitude south of Norway House; but I give that as a mere matter of opinion, not that I have any personal knowledge.

4091. Where is Norway House?—At the head of Lake Winnipeg, about the north-east corner of Lake Winnipeg; I do not desire to attach any importance to my own answer, because I have no knowledge of the country of a personal character, and therefore may be very much mistaken as to its resources and capabilities of settlement.

4092. Mr. *Edward Ellice*.] In that answer do you contemplate including that portion of Labrador and James's Bay?—I do not propose carrying the line straight through there, because it would be depriving the Hudson's Bay Company of control over the Indians in one portion of the territory; I referred to the line proposed to the Company themselves upon the negotiations for limits between Canada and the Hudson's Bay Company's territory shortly after the peace of Ryswick, in which they themselves proposed certain limits, which, although they were not willing to take, they nevertheless, as a *pis aller*, were ready to submit to if nothing better could be gained for them. With regard to the eastern portion of the territory, the limit which I should at present suggest would be rather that limit which was proposed under the Treaty of Utrecht, which was to start from Cape Perdrix in  $58\frac{1}{2}^{\circ}$  of latitude, just below Cape Chudleigh on the Labrador coast. The Hudson's Bay Company themselves proposed that a line should be run from there (in one of the papers it is called  $59\frac{1}{2}^{\circ}$  and in the other  $58\frac{1}{2}^{\circ}$ ), that it should come down through the island of a lake called Lake Mistassinnie, and from there in a south-west direction extending to what they then required as the boundary to be given to them, namely, the 49th parallel of latitude directly through the continent. Grimmon Island, I think, was the name of the island, and Cape Perdrix the name of the cape.

4093. That proposition, I believe, was not agreed to?—I believe nothing grew out of it; it was proposed to the French, and they would not assent to it. (*The Witness pointed out the position on the map.*) Instead of that, my own suggestion would be that it should only come down in this direction, and come to the point which I have already referred to, across the country to the Rocky Mountains.

4094. Sir *John Pakington*.] That would be your line to get to Norway House?—I have only thought of it generally. The line must leave sufficient space here, so as not to interfere with the trade of St. James's Bay, on which some Indians are settled; this country being at present, I believe, so far as white inhabitants are concerned, wholly unsettled.

4095. Still, I apprehend that your proposed line would pass considerably to the northward of the present boundary shown for Canada on that map?—Yes. I wish to be understood as stating that I am suggesting merely the line suggested by the Hudson's Bay Company themselves.

4096. Mr. *Edward Ellice*.] In what year was that proposal made; in 1719, was not it?—The proposal that I speak of was renewed by the Hudson's Bay

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Company in the year 1750. On the 25th of July 1750, the Company were called upon to lay before the Lords of Trade the limits which they proposed, and they replied in the month of October of that year, giving the boundary that I have just spoken of.

4097. *Chairman.*] The actual boundaries of Canada are not very well defined, I believe?—There are two definitions; it must depend, perhaps, upon the legal construction which of the two should prevail; one of them is given by the Statute of 1774, the 14th of George the 3d, which speaks of the boundaries of Canada to the north as being the limits of the lands granted to the Merchants Adventurers of the Hudson's Bay Company; the latter boundary is under the Statute of 1791, the 31st of the King, in which, instead of using the terms that the two provinces are to be bounded by the lands granted to the Merchants Adventurers of the Hudson's Bay Company, this form of expression is used, that they are to be bounded by the line of the Hudson's Bay territory, as if, between the two periods, a new light had entered the minds of those who were drawing up that Act.

4098. Are you aware of the terms used in the Governor's commission as to the boundaries?—I think they are copied from the Proclamation of 1791; but I cannot speak with certainty.

4099. Speaking as Chief Justice, are you aware of any practical inconvenience which arises from the present state of the want of legal precision in the boundary of Canada with regard to the administration of justice?—I am not aware that the question has ever been raised since the days of the disputes between Lord Selkirk, the Hudson's Bay Company, and the North-west Company; there were difficulties then.

4100. In the ordinary administration of justice, it does not cause any inconvenience?—In the ordinary administration of justice, that question has never arisen within my experience, and I, as a student, at the bar, and on the bench, have been connected with the profession upwards of 30 years. I never heard the question raised in any way whatever.

4101. Have you not some concurrent jurisdiction with the Hudson's Bay Company in judicial matters over the whole of that territory?—There are two statutes regulating that matter, and conferring jurisdiction upon the courts of the colonies within those limits. The first of them gave jurisdiction over offences committed within the Indian territories. The second was an explanatory Act, stating that the offences committed within the territory belonging to the Hudson's Bay Company were included in the term "Indian territories."

4102. I think you have stated that you have no wish to go to the west of the Rocky Mountains?—Only in one sense. I hope you will not laugh at me as very visionary, but I hope to see the time, or that my children may live to see the time when there is a railway going all across that country and ending at the Pacific; and so far as individual opinion goes, I entertain no doubt that the time will arrive when that will be accomplished. I should desire, for the sake of Canada, that permission should be reserved to her to that extent only; that if she makes a railway through her own portion of the territory, it shall go to the terminus. That is merely my own opinion.

4103. *Sir John Pakington.*] You are aware that the report of the Executive Committee does not limit the western boundary of Canada, even to the Rocky Mountains, but claims it up to the Pacific Ocean?—I am aware that that report does so.

4104. Is it your own opinion that there is any legitimate reason for limiting the western boundary to the Rocky Mountains rather than to the Pacific Ocean?—It appears to me that the more natural intercourse from the west of the Rocky Mountains is to the seaward, the Pacific, rather than to come to the eastward to the Atlantic, unless there were a railroad established.

4105. *Chairman.*] You have, doubtless, in a legal point of view, considered very much the rights, both to the possession of the territory, and to the exclusive exercise of trade claimed by the Hudson's Bay Company?—I have rather considered the matter in a speculative point of view; when I speak of looking at a thing in a legal point of view, I am so apt to confound it with a judicial point of view that I would rather say that I had speculated upon it than that I have reflected upon it, as I would do if I had to give judgment upon it.

4106. Do you think it of importance that the validity of those claims should be either established or refuted soon?—First of all, dividing that question, if

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you will permit me, with regard to the decision of the boundary between Canada and the territory of the Hudson's Bay Company, it appears to me that there is no mode in which we can commence the decision of the whole question, without deciding that; because, assuming that there is a portion of the territory to which the Hudson's Bay Company are lawfully entitled, which is conceding the thing in the strongest way in their favour, then if you propose to take anything away from them which really belongs to them, the question of compensation is the next question naturally arising. It is very important to know over what land that right of compensation extends, and how much of it belongs to Canada over which it cannot extend. So that it seems to me that the foundation of the inquiry is a determination, according to the proper construction of the charter, of the territorial limits. If that question involves inevitably, as I am afraid it will be found to do, the consideration as to whether it is valid or invalid *in toto*, I do not see how that discussion is to be avoided.

4107. In what way would you suggest that that question could practically be brought to a solution. I believe it has been agitated more than once, and for a very great number of years; more than 100 years?—I should subscribe to the authority of the Crown officers of England and the Secretary of State. When Lord Grey filled the office of Colonial Secretary, he proposed that that very question of the validity of the charter should be submitted (and he offered to facilitate it, founded upon the opinion of the law officers) to the Judicial Committee of the Privy Council. Lord Grey, in 1850 or 1851 (I speak under correction as to the year, but the Parliamentary Papers are published), himself made the proposition, founded upon the recommendation of the Attorney and Solicitor-General of England of that day.

4108. Mr. *Edward Ellice*.] He offered to anybody to facilitate the trial of the question?—He offered, so far as that was concerned, that it should be submitted to the Judicial Committee.

4109. *Chairman*.] Do you think it quite clear that the Judicial Committee of the Privy Council would consider themselves authorised to deal with that question if it were raised by the Crown, and not by a private individual?—Reasoning by analogy, which is the only way in which I can do it, from what they have done in other cases, I should answer that question affirmatively. I have taken the trouble to get together some few cases in which I think the same principle has been involved where reference has been made for the Queen's information to the Judicial Committee of the Privy Council.

4110. Would that answer apply equally to the claims of the Company with regard to the possession of territory and their claims with regard to the exclusive licence to trade?—With regard to the exclusive licence to trade (perhaps with the prejudice which lawyers have in favour of their own particular views) it always has appeared to me that the statute of James the 1st put an end to it. I never could understand how it could be contended for in a court of law for an instant. The exclusive licence to trade appears to me to be diametrically contrary to the statute of James the 1st. The only question, I think, which could arise upon it, speaking always individually, would be whether or not that statute applied to a colony, or was confined to a monopoly within the mother country. Assuming that it was confined to a monopoly within the mother country, it still, I think, would be open to a very fair argument that it did apply to this company, because their charter makes the seat of their government to be in England. The monopoly of the fur-trade, that is to say, the sale of all that they import from that country, is in their hands in England; it is a monopoly in England.

4111. I believe both these questions have come before the consideration of very eminent lawyers at different times, going back to the time of Lord Mansfield; and many eminent men since have had these very questions referred to them?—There have been opinions given. I think that one opinion was given by Lord Camden when he was either Attorney or Solicitor General. Sir Dudley Ryder gave an opinion also.

4112. Sir *John Pakington*.] An opinion upon what?—Upon the validity of this very charter.

4113. *Chairman*.] Are you acquainted with Lord Mansfield's opinion when he was Solicitor General?—I may have a minute of it, but I do not remember

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it at this moment; I think I have a memorandum of all the opinions which have been given; I have no recollection of it if I have read it; I have a memorandum with regard to a variety of opinions and judicial decisions which appear to me to be in one sense bearing upon the legal question of the decision of the charter.

4114. Will you have the goodness to put it in?—I cannot put it in in the form in which I have it at present, but I could furnish it to you; I can refer to particular portions of it.

4115. Lawyers have expressed great doubts about these points?—I believe there have been many opinions; there were very eminent opinions taken, which are all in print; I think there were opinions taken both by the North-west Company and by the Hudson's Bay Company; I have seen all those opinions, and I have read most of them in print, and I apprehend they are very easily accessible.

4116. Are the Committee to understand that you would wish both the questions, that of the monopoly of trade, and that of the exclusive possession of land, to be referred to the Judicial Committee of the Privy Council, if it can so be done?—I myself should consider that that would put an end to all question, and would settle all doubts by a decision one way or the other with regard to a matter of that description unquestionably, but speaking for the Province of Canada, the point which I am particularly desirous of urging upon your consideration, and of limiting myself to as their representative, if I may so speak, would be the decision of their territorial limits; that is the point in which they are most interested, but I do not see how you can very well dispose of the one without inevitably raising the other.

4117. Mr. Christy.] The opinions taken by the Hudson's Bay Company have never been printed?—I cannot say whether they have been printed. I can only say that I have read them. The matter has been considered as a broad legal question upon the validity of the charter, and the different points that I have been speaking of, and it is that point to which I have had my attention partially directed; I have a variety of cases which I think bear upon the subject, but it is rather in the nature of a judicial argument; it is more in the nature of a brief for counsel to argue from than anything else; it is not a document drawn up in the slightest degree with the view of laying it before this Committee; I wish that to be quite understood.

4118. Lord John Russell.] When the opinion of Lord Grey was known in Canada, was there a disposition to acquiesce in the mode pointed out by Lord Grey?—I am not aware that the matter was in any way discussed or considered in Canada, at that particular period; I do not think it was.

4119. Has it been since?—I cannot say that it has; I am not able to answer the question.

4120. Chairman.] The Committee are desirous of being favoured with your opinion upon the subjects which have been raised, namely, the validity of the claims of the Hudson's Bay Company, both to trade and territory; and also the manner in which you may conceive that the legality of those claims may be tested by some judicial tribunal; the Committee would be much obliged to you if you would place your views upon this subject before them, in any form which you may think expedient?—I would desire to mention a fact which is of course very well known to yourself, Sir, that on the 6th of May I enclosed the paper which you have before you, accompanied by a letter, which I presume I may refer to for this purpose, namely, of stating that it contained a request that Her Majesty's Government would take upon themselves, in such shape as they thought best (but I suggested the Judicial Committee of the Privy Council), the decision of the question of boundary between the province of Canada and the territory of the Hudson's Bay Company, and I asked that the province might on their part have counsel attending to watch any argument, if an argument was thought necessary, and that if thought expedient they might also be permitted to take part in it. That was the object of my request. I dare say, for very many good reasons, I only received a reply to it last night; but in the meantime, imagining that that course must sooner or later be adopted, I have been preparing myself for the possibility of the submission of a question of that character, and of the larger question, if the larger question must necessarily come up. What I have been doing, therefore, has been not at all with the view of presenting anything here, but with the view of preparing myself to instruct counsel, if it became necessary to instruct them, upon the different points

points of law which I thought would be involved. You are asking me, in fact, to give the benefit of any little industry which I have exercised for the benefit of the province of Canada to other parties.

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4121. The Committee have no wish to ask you to communicate anything to them which you are not yourself desirous of doing?—I merely desire to give that explanation why I am reluctant to furnish the information. Individually, I can have no objection to state it.

4122. Do you believe that the province of Canada would be disposed themselves to raise the question of the validity of the charter of the Hudson's Bay Company, either in whole or in part, before either the Judicial Committee of the Privy Council, or some other tribunal?—I can best answer that question by stating that I have express instructions and authority to retain counsel to represent the province, whenever, in my judgment, it is necessary.

4123. Am I to understand that you conceive those instructions to authorise you, if you so think fit, not merely to appoint counsel to watch the proceedings which may be instituted by the Crown or others, but yourself to originate such proceedings?—I have always considered, and I believe they consider too, that the question of boundary is a question which it rather rests with Her Majesty's Government to raise and to have decided, because both parties claim, the one under Acts of Parliament and proclamations of the Crown, the other under a charter from the Crown, and therefore it is a question of which we should naturally suppose the Crown would take upon themselves to procure the reference and the decision. Therefore in asking permission to attend with counsel, it was not under the idea that we should take out of the hands of Her Majesty's Government the conduct of the proceeding, but that we should be permitted to watch, and if necessary take part in, the argument. At the same time I would add, that the latter portion of that statement is entirely my own suggestion; that my instructions do not limit me to that course; and that if Her Majesty's Government were broadly to say that Canada must appear before the Judicial Committee of the Privy Council for the purpose of determining her boundaries, I apprehend that my instructions go the full length of enabling me to do so.

4124. Are the Committee to understand that you consider that if it should be found either impossible or inexpedient on the part of the Crown properly to institute judicial proceedings, in order to try the validity of the charter of the Hudson's Bay Company, you are authorised by the colony, on their part, to institute such proceedings, in order, as you may think fit, to try the validity of that charter, either wholly or in part?—My instructions I conceive to give me a discretion; I have not made up my mind as to the mode in which I should exercise it.

4125. Lord John Russell.] I understand you to give a decided opinion as to the monopoly of trade?—Upon that point I have never entertained a doubt.

4126. Mr. Lowe.] What is there in the government of the Hudson's Bay Company which makes you apprehensive of the Americans extending themselves into the territory if that government continue?—I conceive that the Hudson's Bay Company are a company conducting their government in a manner consonant with their interests as a trading company, and conducting it in that view most admirably. I do not think that the interests of a trading company can ever be considered as compatible with the settlement of the province.

4127. What you apprehend is, that they will not let the province be settled?—From the year 1812, when Lord Selkirk obtained the grant, down to the present moment, there appears to be a population of only about 7,000 people, and when I can point to portions of the country round in which it has increased at the rate of 70,000 instead of 7,000, there must be something in the government of the country which does not encourage settlement.

4128. Sir John Pakington.] Is it your opinion that the whole of that district which you have described, lying between the present boundary between the United States and the British territory, and a line striking across the north of Lake Winnipeg, is fit for settlement?—I can only form an opinion founded upon the testimony of others. Before I left Canada, knowing that there was a gentleman of the name of Macdonald, whose name will be found in the Parliamentary Papers of 1849 as "*bras croche*," who had been 25 years

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employed in the North-west Company, I corresponded with him, and I obtained a great deal of information which I thought exceedingly valuable, and upon which my opinion of the facility of settling that country is founded, together with other papers of a similar kind which I have read, but I have no personal knowledge of it whatever.

4129. Are not the apprehensions which you have expressed to this Committee founded upon the belief on your part, that unless that line of country is settled from Canada it will practically be settled from the United States without respect to the boundary?—It is so; the boundary is an undefined line; there is nothing to prevent people crossing it; nothing to point it out; nothing to defend it.

4130. We see on that map a district close to the line of boundary between the United States and the British territory of very considerable extent, marked pink; I apprehend that that is so marked pink because it does not come within the definition of Rupert's Land, as described by the waters which fall into the Hudson's Bay; is not that so?—I suppose it to be so.

4131. Is it within your knowledge whether that district, so marked as not belonging to Rupert's Land, is nevertheless occupied by the Hudson's Bay Company?—The licence of exclusive trade (I have not examined it carefully) probably includes it. If it does, then it would come under their jurisdiction to have the exclusive licence to trade within it. I do not understand that there is a licence giving any particular powers of government; I have not studied that point. I do not know what powers of government the licence of exclusive trade gives; but it is only under that licence that they can hold it.

4132. Are you aware whether the Canadian Government have now any power over that district which is so marked pink, because it is not included in Rupert's Land?—As I apprehend, nothing whatever, except the power of trying offences which may be committed within that territory; no power of settlement, or of government of any other kind whatever.

4133. Why is it that you think they have no power of settlement, if the only jurisdiction of the Hudson's Bay Company over that territory is founded upon their licence to trade?—Because the only western boundary which is given to the province of Canada is the Mississippi River, and because that territory lies to the westward of the head waters of the Mississippi.

4134. Is that answer which you have just given to me quite consistent with the opinion expressed by the Committee of the Executive Council of Canada, in the paper before us, to the effect that they recognise no western limit of Canada in that direction excepting the Pacific Ocean?—I admit that it is not consistent with that view; but in what I am stating I look at the fact that all the documents emanating from the Crown which do give a western boundary to Canada, give the Mississippi River. If I am asked what my opinion upon the subject is, I do not know by what authority we can extend west of it unless you give it to us; that is my own opinion, and it must go for what it is worth.

4135. Are you aware of any offences ever having been tried in Canada which were committed in that portion of the country?—Not since the disputes between the Hudson's Bay Company and the North-west Company. I confine my answer to Upper Canada.

4136. Are you aware of any actual encroachments by American citizens across the boundary, with a view to the settlement of that country?—I am not.

4137. Have you any knowledge of the facilities for communication between Lake Superior and the Red River Settlement?—None but what I derive from the information of other parties; I have no personal knowledge whatever.

4138. I suppose that the facts connected with that line of communication are well known in Canada, are they not?—The Americans seem to adopt the view that it is possible. I have made an extract, which, with your permission, I will just read, to show that they do not consider it so impracticable. General Cass, within a very short space of time, presented a petition to Congress for the very purpose of having a communication opened into that country by Pigeon River, treating the navigation as capable of improvement, which would be just on the boundary, between Canada in that part, or between the Hudson's Bay territory, as it may be, and the United States territory, just below Fort William.



William on the boundary line. The nature of the petition (I made an extract from a report of it) is this: "for a Government exploration and survey of the Pigeon River, of Lake Superior, and of the route from the mouth of that stream, or near thereto, to Rainy Lake on the United States boundary line, so as to make a practicable navigation from the Lower Red River of the North, by way of Lake Winnipeg to Lake Superior; they represent that at a reasonable cost the whole valley of the Red, Assinaboine and Saskatchewan Rivers can be connected with Lake Superior."

4139. Mr. *Edward Ellice*.] Do they specify the cost?—No; in petitions of this sort, when they ask for a Government exploration, they keep the question of cost entirely out of view.

4140. Sir *John Pakington*.] Practically, at this time the trade and commerce of the Red River is carried on to the south with the United States, or to the north by Hudson's Bay, is it not?—I apprehend it is so; I do not know whether any of it goes west; I believe nothing at present comes east.

4141. Do you know whether there are any such facilities between Lake Superior and the Red River as would allow of the conveyance of troops?—I can only judge from the information of others; Lord Selkirk was able to carry troops into that country, but I suppose at that time the North-west company, having an interest in maintaining the communications, kept them in good repair; since that time they have been suffered to rot away altogether.

4142. Are you aware whether at this time any arrangements are in progress, or any orders are given for conveying troops from Toronto to the Red River Settlement, by the route of the St. Lawrence and round the Labrador coast into Hudson's Bay?—I have heard so since my arrival in England; letters which I have received from Canada have stated that as a fact; I have no other knowledge of it; a part of the Canadian Rifle Regiment; according to information which I have received from Upper Canada in private letters, it is stated to me that there is a portion of the Canadian Rifles who are quartered in the province of Canada, and principally in the western portion of it, who are ordered for the protection or defence of the Red River Settlement, and who are to be sent round by sea to Fort York; but I have no other knowledge of it than from having had that communication.

4143. Is it your belief that at present the means of communication are such as to make it possible to send that portion of the Canadian Rifles by Lake Superior and the direct route?—I am quite sure that they were so, because troops have been sent that way; I cannot say what they are at the present moment.

4144. Mr. *Edward Ellice*.] How many years ago was that?—I refer to Colonel Crofton's evidence, who mentioned the fact that he was aware that troops could come that way; and I refer to the fact that Lord Selkirk, in 1816 or 1817, carried a body of men through there, together with artillery; he took a portion of the disbanded Demeuron regiment.

4145. Mr. *Kinnaird*.] About how many men?—It will be found in the Parliamentary papers which I refer to, of 1819, and I would rather refer to them for greater accuracy than trust my own memory. This regiment had been disbanded, and Lord Selkirk engaged them, or a certain portion of them; he had two captains.

4146. You have referred to the circumstance of the Canadian people being anxious to have the boundary defined; has there been any practical inconvenience found by any Canadian subjects from the undefined character of the boundary?—Not at present, that I am aware of.

4147. *Chairman*.] I believe that public attention in Canada is now very much directed to the affairs of the Hudson's Bay Company?—Very much indeed.

4148. That has only occurred recently I think?—Recently; when I speak of its attracting public attention I say certainly recently; men who have been concerned with thinking for the future in Canada have thought of it a good many years ago.

4149. Mr. *Grogan*.] Do you suggest that Canadian settlement is progressing from Toronto and by the Ottawa and Lake Nipissing, and that way, up towards the Red River Settlement?—I stated that there are townships laid out, particularly on the north side of the River Ottawa, approaching to within a



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comparatively short distance of Lake Nipissing; and that the whole of that river, at the time when the North-west Company carried on their trade, which was a very large one, was unsettled, from the Falls of Chaudiere, the whole distance upward; that is in fact the most difficult part of the navigation. There are now townships laid out going up to Lake Nipissing.

4150. Is the navigation on the Ottawa tolerably good now?—It is broken by rapids; but the Canadian Government have a survey now going on, for the purpose of ascertaining the best mode of improving it.

4151. Then when you referred to the settlements or the townships being laid out along the northern bank of the Ottawa, and to the intended improvements in the navigation of the river, that was part of your answer with regard to the communication between the Red River Settlement and Canada?—It was just to show that a country which at one time was entirely barren, unoccupied, unsettled, and which interposed great obstacles to the navigation at that time, was now becoming settled, and that all those difficulties were being removed; and that if it was feasible then to carry on a trade through the river with all those difficulties, it would be, *à fortiori*, more feasible when the country through which it was to pass was settled.

4152. If I understand your views, the communication would be almost entirely a water communication?—It would be so; but I suggested also that modern improvements would render that communication of the Ottawa unnecessary; for we have a much more easy communication; and I pointed out that, by taking the way of the Welland Canal, and the way of the Sault Saint Mary Canal, a vessel of very considerable burthen loaded at Montreal could discharge her cargo, without any transshipment, at Fort William.

4153. That is altogether a summer communication?—It is.

4154. Has it occurred to you how that communication could be maintained during the winter?—There will be always great obstacles, excepting by means of railways, and a long period must elapse before we can look for that; there will be a period of from four to five months during which you must travel upon runners or not at all; there is no other mode at present.

4155. But you look to the establishment of a railway ultimately?—I am sanguine enough to do so.

4156. And your view is, that by improving the existing water communication it will ultimately lead to the establishment of a railway?—I think that by improving the water communication at present, it will lead to a great deal of settlement up the Ottawa, and so facilitate the carrying of a railway in that direction.

4157. You mentioned that at one period the French occupied a large portion of the Rupert's Land territory, and also had some settlements on the Saskatchewan?—I did not desire to express that they occupied large portions of the territory, I merely intended to say that they had trading posts passing through a portion of the territory; I understand that they had one station upon the Saskatchewan River.

4158. They used the route from Fort William to the Red River settlement for the transmission of all their goods?—Yes, the whole, I believe, of the trade was carried through that course.

4159. Was that trade considerable?—I have understood it to be so.

4160. In what year was that?—Commencing with the government under the Count Frontenac, or perhaps even at an earlier period, and passing through a variety of French Governments down to the year 1763; I have a large volume of French correspondence, a quarto volume of 1,000 pages, from which, in different portions of it, I could point out how that trade was carried on; it is the correspondence of the French Government in Canada with their own authorities in France.

4161. They followed the route of this river which you are describing?—They followed the route of the Ottawa for that trade principally; they had a station at Michilimackinac and also a station at Detroit, but the larger portion of the trade was carried up the Ottawa.

4162. Is it the impression on your mind that at that period the route by Fort William and along the river towards the Red River Settlement was in a better condition than it is now?—I cannot state what its condition is now. I can only say that it was practicable for the purposes of carrying on that trade;

trade; and at a much more modern date the North-west Company from Montreal carried on a similar trade with very large profits.

4163. That route, as represented at present, is all but impracticable?—So I understand. I can quite conceive it to be so. If you are required to lay out a causeway of logs across a swamp for two, three, or four miles, and make no repairs to it for 25 years, it stands to reason that it must get out of repair; so that you will have a swamp to walk through with broken logs, instead of anything to get across in a proper manner.

4164. The practical result then is, that there was a greater facility of communication with those districts 100 years ago than there is now?—I should draw that conclusion from the facts which I have mentioned. Of the fact of the trade there is no doubt.

4165. Mr. J. H. Gurney.] Have there been within a recent period, that is to say, within a few years, certain collisions between the Indians and the Canadian Government upon islands in the northern part of Lake Superior which were colonised for the purpose of mining?—There was a very much magnified story made out of it; there was one collision, and I think I could refer to documents which would show who the parties were from whom that collision proceeded. I believe parties who were desirous of obtaining some licences for the purpose of copper mining set the Indians up, in order to coerce the Government into the terms which they themselves desired to obtain. I think it emanated from Canadian propositions, not from the Indians themselves.

4166. Then you are not apprehensive of a recurrence of similar collisions in any portions of the Hudson's Bay Company's territories which might pass from the control of the Company into that of the Canadian Government?—I have already stated, and would repeat the answer, that I think if the Indians are justly dealt with (I mean by that if they are not deprived of their property without a reasonable compensation) there is no such danger. I do not think they can be plundered with impunity.

4167. Is the general feeling in Canada on that subject such as would tend to lead the Canadian Government to pursue that course of justice towards the Indians on such a contingency?—I believe that in no instance in modern times; in no instance since I have known anything of the government of that province, have lands been taken from the Indians excepting by express treaty with their chiefs, when the compensation was arranged, and it has been paid in pursuance of it ever since. I believe that to be so. I know of several instances in which it has been done. Some of them took place when I was a member of the Canadian Government myself.

4168. Chairman.] Have you had any opportunity of forming an opinion of the manner in which justice is administered on the whole by the Hudson's Bay Company throughout that great territory?—I know nothing of it except from the published reports. I have no other source of information than those.

4169. Mr. Lowe.] You spoke of an interim arrangement being necessary while the requisite surveys and explorations took place by the Canadian Government; what sort of arrangement would that be?—An arrangement of the governing of the territory by a governor in council was the suggestion I offered.

4170. Chairman.] You think that that should be done at once?—It appears to me so.

4171. Mr. Lowe.] You spoke of a route into Canada up the valley of the Ottawa, as I understood, to be explored and laid out; do you consider it likely that that route can ever be so good a one for commercial purposes as the route through the United States to the Red River Settlement?—I should never propose, for the purpose of commercial intercourse, that the trade from the Red River should be taken upon the Ottawa; the more natural course if it comes through Canada, is to come along Lake Superior and Lake Huron, and to pass down from Lake Huron into Lake Erie and through the Welland Canal into Lake Ontario; that is the obvious natural course, for there would be no transshipment.

4172. You anticipate it to be possible to make a route by that course which should communicate sufficiently with the route to the head water of the Mississippi to send up there?—All I can say is, that unless you can do that, farewell to its being maintained long as a British territory.

4173. Chairman.] Why do you say that you think it necessary to make some

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special arrangement with regard to the possible future construction of a railway across the whole continent to the Pacific; supposing that the land up to the Rocky Mountains on the one side belonged to Canada, and the land to the westward of the Rocky Mountains to the sea belonged to another British colony, do you think that there would be any difficulty in making an arrangement for the construction of a railroad in which both colonies would have an obvious interest?—I have always found that if you can foresee a difficulty it is better to anticipate and prevent it than to have to deal with it after it has arisen; it was only that sort of spirit actuating my own mind which induced me to make the suggestion.

4174. What is the sort of difficulty which you apprehend possible?—A conflict of opinion between the respective Governments on the opposite sides; it would, for example, be very much for the interest of the Canadian Government, if they had to go to the expense of making a railway, to have it end at a particular terminus, or to have it come in a particular direction; it is a possible thing that the interests of the Government on the opposite side of the Rocky Mountains might lead them to desire either another course or another terminus.

4175. Would not it be just to the future inhabitants of the colony which you are supposing to exist to the westward of the Rocky Mountains, to leave them a voice in that question as well as the people of Canada, in which they would have a common concern?—We simply ask that the Imperial Government shall take the disposition of that question and retain it in their own hands; we do not desire to prescribe what we would wish to be done, but we desire that instead of leaving us in fact to deal with another colony, the power should be retained in the Imperial Government to dispose of that question whenever it arose.

4176. Lord John Russell.] You say in your letter to the Secretary of State, that if the question of monopoly were referred to the Judicial Committee there is reason to suppose that Canada would acquiesce in the decision; whatever it might be; what grounds have you for stating that opinion?—Because I think that whenever there is a judicial decision of the question, the spirit of the people is to submit to the law. If it be rightly and fairly administered, I think their spirit is to yield to that decision, and then to negotiate for what they have no longer a right to. I mean, in other words, that the decision of a court of justice in which they have confidence would settle the question as far as they are concerned; they would yield to it, however reluctantly.

4177. I understand you to mean, that supposing the decision to be against them, if they were desirous of acquiring that territory for settlement which was decided not to belong to them, they would then offer compensation or purchase?—They would cease to have a claim to have it on any other ground, and they would be satisfied that they had no claim in case a judicial decision of that sort was obtained.

4178. Chairman.] Is it not probable that the Government would have in their hands a very valuable consideration in negotiating with the Hudson's Bay Company upon any matters of this kind in the licence to trade, which expires very shortly, upon a most valuable portion of that territory, so far as the fur trade is concerned, to the westward of Rupert's Land. Does it not appear to you that that might be made the means of inducing the Hudson's Bay Company to come to reasonable terms with regard to the other questions in which Canada is concerned?—Mr. Coltman, who was the Commissioner whom I have referred to, in 1819, suggested that the government of that Red River country should be assumed by the British Government, and also suggested, that inasmuch as it would relieve the Hudson's Bay Company from a very expensive administration, and supersede the necessity of their maintaining the large staff of people that they must maintain at present, they might be called upon to pay such a rent as would go a long way towards maintaining the Government.

4179. Do you believe a regular settlement to be of much value to the Hudson's Bay Company as a commercial company?—In my own judgment, I should have thought that the expense would give them no adequate return, but I may be quite mistaken.

4180. Lord John Russell.] But is there not a probability that persons who claimed to settle, and endeavoured to make settlements, would have in view an interference with the trade, especially the fur trade, of the Hudson's Bay Company?—

pany?—I have no doubt there are many people actuated by that very feeling, both Americans and English, or Canadians.

4181. Therefore, although settlement was stated to be their purpose, it would not be their *bona fide* intention?—I believe there are many people who would desire, nominally, to extend settlement that they might get a share in the fur trade itself. In the olden time it was reported by the French Governor of Canada that the Jesuits were very anxious to extend posts, as they said, for Christianising the Indians, but that with them Christianity meant beaver.

4182. And in the same way at the present time settlement might mean beaver?—It might mean beaver, or other valuable furs; I would not take upon myself to say that it would.

4183. Mr. *Edward Ellice*.] Do not you think, with reference to your last answer, that it is the interest of the Hudson's Bay Company to prevent, as much as they can, the inroads of Americans over the frontier?—I think it is their interest to keep everybody out of the country as much as they can; it always has been; in a commercial point of view, I think so decidedly.

4184. Have you ever heard complaints made that the Hudson's Bay Company have been negligent, in so far as regards American inroads; that they have admitted American settlers into the country?—I think the Hudson's Bay Company cannot be accused of anything like neglect.

4185. And you think it is their interest to preserve that frontier from the incursions of the Americans?—I think it is their interest to keep any persons from getting into that territory, excepting those who are under their own immediate management.

4186. Mr. *Gladstone*.] Do you think that they draw any distinction between British inroads and American inroads?—I do not.

4187. *Chairman*.] If the fur trade were thrown open to unlimited competition, I suppose at first for a few years a great deal of money might be made by all comers?—As a mere matter of speculative opinion, I should think that with the advantages which the Hudson's Bay Company have in the possession of the territory, in posts established, and with the communications at their own disposal, they would engross for a long time all the most valuable part of the commerce; but that is a mere matter of opinion, founded upon a given state of facts.

4188. Do you believe that it would lead to the destruction of the fur-bearing animals?—It is a point upon which I really do not feel competent to express an opinion.

4189. I think your objection to the unlimited access of all parties into that country for the purpose of fur trading rather refers to the effect which it would have upon the Indians by supplying them with spirits, which you believe would be the necessary consequence of such a state of things? I must say that I look, for myself, with a very lively alarm at the notion, which I know has been entertained by some people, of abrogating as it were all the rights of the Hudson's Bay Company at once, and for this plain reason, their trade with the Indians has imported certain things which are absolute necessities for the Indians,—ammunition, guns, blankets, and a variety of things, which before they knew the Europeans at all they provided for in some other way; if you cut off those supplies by abrogating this trade, one consequence would be, I am satisfied, that no private individuals could supply their place for a great length of time; you must have another company start up in their place; and I confess I do not see any benefit in taking away one company for the mere purpose of substituting another; the result would be, in my humble judgment, that you would expose these Indians to perish from starvation, or expose them at all events to very great suffering; and it would have a tendency to make them war one upon another, or upon the nearest white people whom they could get hold of, in order to maintain an existence.

4190. If the trade were absolutely free, do you imagine that it would be conducted by different companies which would spring up, or by private individuals?—I suppose that what has been found to exist would probably result again. After the peace of 1763 a number of independent individuals, and some small independent companies, endeavoured to carry on the same fur trade with the north-west that the French had carried on before the peace of 1763; they were always conflicting, trying to outbid and out-jockey one another, in getting the furs from the Indians, and one disappeared before the

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superior activity and wealth of another, until at last they all joined together into two great companies, and those two great companies combined into one, which became the North-west Company; I think there were the X. Y. Company and the North-west Company, but they became at last simply the North-west Company; they all got together into one at last.

4191. Mr. Gladstone.] On the other hand, is it not the fact that the system of monopoly has likewise its own dark side with reference to the Indians, and that the effect of it is to keep them in a position of the most helpless dependence, and to establish a system under which the return for their labour is totally insignificant, while the article which they sell to the Hudson's Bay Company is the medium of enormous profits?—Such would appear to be the case. If what I read is true, that a silver fox skin, or some other very valuable skins, are obtained for three or four tin kettles, of course it must be so; but I have no knowledge of it as a fact myself.

4192. Mr. Edward Ellice.] With respect to the communication between Red River and Canada, has it entered into your contemplation at whose expense that communication is to be made; is it to be made by the province in the first instance?—Unquestionably.

4193. Are you aware, with regard to railways at present in Canada, of the circumstances under which the Ottawa and Lake Huron Railway is proposed to be made?—Yes; by a grant of public lands in aid of a private company.

4194. Are you aware that 4,000,000 acres of land were last year granted by the Canadian Legislature for the purpose?—I believe they were.

4195. And without success?—I do not believe they have begun anything at all yet, and I do not believe they will begin for a very considerable time, for I believe that a railway is the last communication which will be made; I believe other communications will be made long before they attempt to make a railway.

4196. With regard to the question of settlement in Canada, I suppose from the position which you have held, you know what proportion the settled land in Canada bears to the unsettled. I find that in a report which is printed by the authority of the Government of Canada, so late as this very year, it is stated that in Canada there are about 350,000 square miles, out of which but 40,000 are settled?—That is to say, which are cleared.

4197. I find it also stated that there are about 310,000 square miles of uninhabited country?—Very likely.

4198. Which amounts to about 198,000,000 acres of unsettled country?—I think it very likely; if you look at the map, and see where that is, you can very easily account for it; you will see that it lies on the north of the River St. Lawrence, on the Labrador coast, where the climate is coldest, and where there is the least inducement for settlement. You will not find it the case to the westward; you will find nothing approaching that number of acres; you will not find that it is not taken up to that extent, or anything like it, between Lake Huron, Lake Erie, and Lake Ontario. That part of the country which is really inhabitable, and capable of improvement, is taken up as fast as the Government opens it.

4199. You made some remarks with regard to extending the line to the northward of the present boundary of Canada; are you at all yourself aware, or by communications with other people, of the nature of the country about the present boundary line marked on that map; the boundary line extending from north of Quebec to north of Sault St. Marie, near Frederick-house?—Commencing at the lower part which you speak of, namely, the Saguenay River, I have understood from a gentleman in town, who has been up the Saguenay, that settlements are extending up that river to a very considerable degree; much more than I should have supposed at all.

4200. Are you aware of the evidence which has been given here by Mr. Ross with regard to the Saguenay?—I think I read it.

4201. Are you aware that people often are in danger of starvation in the winter, owing to the climate there preventing the crops in the summer necessary to their subsistence ripening?—I do not think that that is peculiar to the Saguenay, because you will find in the history of the legislation of Lower Canada repeated applications year after year for assistance from the Legislature from the farmers at the eastern portion of the river to purchase seed wheat.

4202. Owing

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4202. Owing to the climate?—Owing to the climate, and owing to the failure of the crops. Those applications I know were made before the union of the province, and in one or two instances, I think, but am not quite sure, since the union of the province.

4203. How do you account for settlement extending in that direction under such unfavourable circumstances, when they can go elsewhere in Upper Canada?—Not knowing exactly how the thing is, I would rather refer to those who are better informed than myself on the subject. I will mention the name of Mr. Roche, who has been up that river, and who can give you much more information than I can.

4204. Supposing that a Government were settled at Red River, do you think that the great distance from Montreal would not be very much against it?—I cannot presume to say where the seat of government of Canada will be; I suppose it will be with reference to something like centrality.

4205. Mr. Christy.] With respect to the fur-bearing animals, I suppose the Indians would always remain the hunters of that country in your opinion?—I have heard; but I speak only from what I have heard, that the most fatal enemies to the fur-bearing animals are half-breeds, or even white trappers, and that they destroy the animals much more even than the Indian hunters do; I merely speak from what I have read and heard; I have no personal knowledge whatever on the subject.

4206. You were speaking of the exclusive right to trade on the part of the Hudson's Bay Company for a limited period; I understood you to say that that should be confined to the district north of the line which you pointed out yourself?—Yes, any conventional line that may be thought fit and proper; I merely suggest the necessity of establishing a conventional line, and that the right of exclusive trade should not extend to the southward of that line, wherever it may be.

4207. Would you contemplate in that arrangement that the Indian hunters or persons who became possessed of furs should not be allowed to dispose of them to any other parties than to the Hudson's Bay Company?—Do you mean the furs collected within that country?

4208. The furs collected within that country?—I suppose that would be a necessary result of granting an exclusive licence to trade.

4209. You mean that the parties possessing themselves of furs within that northern limit which you have defined, should have no right of selling them to parties except the Hudson's Bay Company?—I suppose that would be the result. I contemplate that as the result for a time. I wish to explain with reference to that what I had in my view. Looking upon the determination of Canada as a contingent determination, to depend upon the result of survey and exploration, I should suggest that while that state of things, namely, the contingency on the one side exists, on the other side the exclusive right of trade should exist also; in this spirit the Imperial Government gave to the Hudson's Bay Company the power of settling Vancouver's Island for a limited period, and it is in the nature, I presume, of an experiment. I would ask, on the part of Canada, to have at least the same privilege as was given to the Hudson's Bay Company, to settle this country, and in the meantime I think there would be no reasonable ground to object to the Hudson's Bay Company during the same time having the exclusive right to trade as I have suggested; if Canada can do nothing with that country, then it is for another authority to dispose of the whole question.

4210. Mr. Charles Fitzwilliam.] I believe there is a Committee of the provincial House of Parliament now sitting on this same question?—I have so understood.

4211. Towards what end is their inquiry more particularly directed?—As I understand, it is with the view of ascertaining, by evidence, whether all the representations which have been made as to the impossibility of approaching that country, and as to the comparatively small quantity of fertile soil capable of supporting an agricultural population, are well-founded or not; they thinking that they have much more evidence on the spot than you can possibly have here.

4212. Who are the witnesses whom they propose to examine; what class of people?—Many people who have retired, after having spent a number of years in that part of the country. I have heard the names of some few; but they

Hon.  
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are people who have resided in that part of the country, and who are living now in Canada, and whose testimony can be got at.

4213. The evidence is that of people who have lived in the country, and have examined its capabilities?—So I understand. One of them, I dare say, would be the gentleman to whom I have referred, with whom I have corresponded on that very subject, namely, Mr. Macdonald.

4214. When do you imagine that we shall be able to obtain the evidence brought before that Committee?—I have been led to suppose that the Canadian Parliament will be prorogued towards the end of the present month, or about that time, so that I suppose the inquiry will finish before that period. I have no other than a mere newspaper knowledge on the subject.

4215. The disturbances in the mines were mentioned some little time ago; was there any inquiry made into the cause of those disturbances?—I believe the Government directed an inquiry; I think they quite satisfied themselves what the disturbances proceeded from.

4216. Have you any objection to state what they proceeded from?—I was not a member of the Government; I was on the bench at the time; but I believe that they were very much instigated by parties who were desirous of making terms themselves for obtaining some mining rights.

4217. Were those parties who were at all connected with the country, or who wished to go into that country for the sake of settlement?—They were people who were living altogether in Canada, and who were going from Canada towards that part of the country with the view of establishing mining operations; there was a perfect mania for getting mining licences, and I believe that some of these parties who were disappointed in obtaining those licences which they desired, endeavoured to raise a disturbance with the Indians in the hopes that they would make themselves of importance to the Government in settling the matter, and would gain something which they had been unable to get before. That is what I have understood to have been the real history of the case.

4218. From that investigation, was any idea of the value of the minerals in that country formed?—Not from that particular investigation, but Sir William Logan, either himself, or through one of his assistants, reported generally upon that subject to the Canadian Government as early as the year 1845 or 1846. Sir William Logan, either himself went there, or sent some one of his assistants, who were connected with him in the geological survey of the province, and made a report to the Canadian Government on the subject.

4219. Has that report been sent home?—I think it is published. I am sure that I have a printed copy of all his reports, for they are extremely interesting and extremely valuable; they were published by the Canadian Parliament.

4220. You spoke of the communication from the Red River to Europe by Lake Superior; you said that if commerce were allowed to go down the Mississippi River, and if that were proved to be its natural outlet, then that Upper Province, if one may call it so, would no longer remain a British dominion; are you not of opinion that the natural communication is by Lake Superior, and through the lakes down the St. Lawrence?—I think that unless you can succeed in making it so the effect of all the commercial intercourse of the country being necessarily with the United States, will be, to make all the interests of the inhabitants American, all their dealings American, and the Americans will come up there for the purpose of obtaining payment for any goods which they furnish; the whole tendency of that must be to make the people look more to the country with which they are continually dealing, than to one which they have nothing at all to do with.

4221. You recollect a short time ago a ship coming from Chicago to Liverpool?—I do.

4222. Is there any greater difficulty in coming from the western extremity of Lake Superior to Liverpool than there is in coming from Chicago to Liverpool?—Without a canal to Saulte St. Marie you could not pass through at all; the only thing that it is now limited by is the size of the canal. Any vessel which can pass through that canal can come from the end of Lake Superior to Liverpool as easily as a vessel could do so from Chicago.

4223. But that canal will admit of a vessel as large as the Welland Canal will; will it not?—I think larger, if I am not mistaken. It is but half a mile or three quarters of a mile of canal.

4224. So

4224. So that there is no more difficulty in coming from Fort William to Liverpool than from Chicago to Liverpool?—It is only limited by the size of that canal. Hon. W. H. Draper, c.b.

4225. *Chairman.* Have you with you the Minute of Council in which you were requested to come to this country on behalf of the interests of Canada?—28 May 1857.  
I can send for it and obtain it, but I have not it here.

4226. Perhaps you will have the goodness to put it in?—I will do so.

*Jovis, 4<sup>o</sup> die Junii, 1857.*

MEMBERS PRESENT.

Mr. Blackburn.  
Mr. Christy.  
Mr. Edward Ellice.  
Mr. Charles Fitzwilliam.  
Viscount Goderich.  
Mr. Gregson.  
Mr. Grogan.  
Mr. Kinnaird.

Mr. Labouchere.  
Mr. Lowe.  
Mr. Matheson.  
Sir John Pakington.  
Mr. Roebuck.  
Lord John Russell.  
Lord Stanley.

THE RIGHT HON. HENRY LABOUCHERE IN THE CHAIR.

The Honourable *William Henry Draper*, c.b., called in; and further Examined.

4227. *Chairman.* HAVE you any statement which you wish to make to the Committee in addition to the evidence which you gave to us the other day?—I have obtained from Canada a map, which has been carefully prepared in the Crown Lands Office, or which has been compiled from the best authorities within their possession, for the purpose not only of showing the situation of the various posts, but also to show the lines of isothermal temperature, to show the geological structure, and to show besides that, by references to different authorities, the assumed climate; that is to say, the climate as it has been represented by people who have visited the country, giving in each instance where the authority is taken from; so that it presents at one view what is supposed to be the truth with regard to all these matters.

4228. Has that map been published?—I have only one copy of it yet, though I believe there are on the way to me from Liverpool at this moment one or two more.

4229. Has it been published in Canada?—It has not been published, and for this reason; it has been sent to me before it is completed, in order that I might make use of it here. The geological portion of it is under the correction of Sir William Logan, in Lake Huron and Lake Superior, and that particular sheet will be completed with his corrections before it is put forth and made public. At present, therefore, it is not a published map.

4230. Will you have the goodness to put it in?—(*The Witness delivered in the same.*)

The Right Reverend *David Anderson*, D.D., Bishop of Rupert's Land, called in; and Examined.

4231. *Chairman.* HOW long have you been Bishop of Rupert's Land?—For eight years.

4232. Have you constantly resided in your diocese during that time?—For seven years I have resided there. I only returned in October last.

4233. Where did you generally live when you were there?—At the Red River Settlement.

4234. Have you had occasion since you have been Bishop of Rupert's Land to travel extensively in your diocese?—I have visited Moose, which is 1,200 miles from the Red River, at the bottom of James's Bay, and also English River, which is in the other direction, I believe about 700 miles from the Red River. Those stations I have visited twice over, and have held confirmations within 12

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D.D.

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*W. H. Draper*, c.b.  
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months in those two spots, which are about 2,000 miles apart from each other; and I always in the summer undertake a journey of some extent, varying it from year to year; that is to say, for about the four summer months, during which alone I can travel to any great distance.

4235. Are there clergymen attached to the stations which you have mentioned?—Yes, to both of them; there is a clergyman connected with the Church Missionary Society at each of those spots.

4236. Will you have the kindness to give the Committee an idea of what is the nature and extent of the system of clergy of the Church of England over which you preside?—I think there are 19 clergy besides myself; that is to say, we are altogether 20 in number. When I went out we were five in number, and that has been the increase in seven years. Of those clergy, 15 are furnished by the Church Missionary Society, two are furnished by the Society for the Propagation of the Gospel, one by the Colonial Church Society, and one is chaplain to the Hudson's Bay Company.

4237. They are paid by those societies?—Exactly so.

4238. Will you allow me to ask you from what source your own revenue is derived?—My own revenue is derived from a bequest of the late Mr. Leith, chief factor, which was left for the benefit of the Indians. There was afterwards a suit in Chancery regarding it; it was litigated by the members of his own family; but it was at last decided by the Master of the Rolls, Lord Langdale, in favour of the establishment of a bishopric. The dividends from that bequest amount to about 380 *l.* a year, and Lord Langdale made it a proviso in giving the judgment that the Company should attach a chaplaincy also, which is 300 *l.* a year, so that my whole income is 680 *l.* or 690 *l.* a year.

4239. Then it is derived, as I understand it, partly from this bequest, and partly from the funds of the Hudson's Bay Company?—Yes.

4240. But the whole is paid to you through the instrumentality of the Hudson's Bay Company?—Yes; so that I derive none from England; it is in a measure paid from the land itself.

4241. Viscount *Goderich*.] But the whole of it is paid under the judgment of the Master of the Rolls?—Yes; the 380 *l.* is the dividend from the funded property in London, and the 300 *l.* extra for the chaplaincy is from the adjudication of the Master of the Rolls.

4242. Mr. *Edward Ellice*.] It was a voluntary grant on the part of the Hudson's Bay Company, was it not?—Entirely so, except that Lord Langdale, if I understand it, would not give judgment until that had been done. There would not have been enough for the foundation of the bishopric without the chaplaincy.

4243. The 300 *l.* on the part of the company is a voluntary grant of itself?—I imagine so, only that it is tied up by Lord Langdale's decision.

4244. *Chairman*.] Their payment of that 300 *l.* a year, which no doubt was voluntary on their part, was, as I understand it, the condition attached to their receiving the larger sum from this bequest for the endowment of the bishopric?—Quite so.

4245. Is this payment secured to the bishopric of Rupert's Land, or could this arrangement be disturbed, at the option of the Hudson's Bay Company, at any time?—I hardly imagine that it could be disturbed.

4246. You believe that it is secured?—I believe so; I think the nature of the legal decision secured it.

4247. Do you think that the present system is efficient in doing good among the Indians?—Very much so indeed. If I had been told, eight years ago, that the amount of good which has been produced could have been effected, I should hardly have thought it. There is a larger amount of good effected than I had expected upon going out to the country.

4248. Have they been Christianised to any considerable extent?—Very largely in particular parts; at the Indian settlement on the Red River, and at Moose Fort on James's Bay, and also on the Saskatchewan, at Christchurch, Cumberland.

4249. Mr. *Kinnaird*.] I believe you have with you a paper; can you furnish the number of stations and agents of the Church Missionary Society?—Yes; I have three documents which can be given in.

[His Lordship delivered in the same, which are as follow:]

(A.)

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D. D.

4 June 1857.

## STATEMENT respecting the Operations of the Church Missionary Society in North West America.

THE Church Missionary Society was first induced to undertake a mission to the territories of the Hudson's Bay Company in consequence of the representations made by the Company's chaplain, the Rev. J. West, and by the personal attendance of two of the Directors of the Company at a meeting of the Committee of the Society, held 28th January 1822.

From that period the Society has maintained an increasing establishment of missionaries, catechists, and schoolmasters. They have at the present time—

- 13 Missionary stations.
- 11 English clergymen.
- 3 Native clergymen.
- 19 Country-born and native teachers.

The Indians brought under Christian instruction are estimated at 8,000 or 10,000.

The communicants, who are all registered, number 774.

The schools are 18 and the scholars 795.

Upon these operations the Society has expended very nearly 50,000*l.*; and the entire annual expenditure at home and abroad on account of the mission is, at the present time, about 6,000*l.* a year. The expenditure is distributed nearly in the following proportions:

Salaries and personal allowances of missionaries - - - -	£. 2,700
Passages, freight of supplies sent out, missionaries at home, and education of children sent home - - - -	1,200
Buildings in the mission - - - -	500
Education of Indians - - - -	1,600
£.	6,000

The missionaries of the Church Missionary Society in every case receive the amount of salary assigned by the society to their respective stations, which have been carefully adjusted to the circumstances of those stations, and no more. The normal salary is 200*l.* per annum for a married missionary, and 100*l.* for a schoolmaster or lay agent. In three cases the Hudson's Bay Company make an allowance of 50*l.* in consideration of the missionary's services as chaplain to their servants; but this sum goes to the relief of the society, and not of the missionary at the station.

The Company have been accustomed to give a free passage in their annual ships to the missionaries of the society proceeding to their territory, and in various other ways they have countenanced the labours of the missionaries, so far as the same have not interfered with their trading occupations.

In the early years of the mission the society's agents were few in number, and chiefly laboured amongst the settlers and half-castes, and comparatively few Indians were brought under Christian instruction, and the expenditure of the society was small; but of late years native agency having been trained and extensively employed, and several thousand Indians having embraced Christianity, and the mission having received a more complete organization under the zealous encouragement and assistance of the bishop, the expenditure of the society has risen in proportion. But they trust that the expenditure has reached its limit, and that the native churches will gradually become self-supporting; and that the Company and the settlers will be ready to undertake the work of general education, and to take a large share in the evangelization of the remaining heathen Indians.

This is the ultimate success for which the Church Missionary Society labours; and when a mission has been brought to this point, the society purposes gradually to withdraw its expenditure, and to apply its funds to other heathen tribes.

For the Committee,

Church Missionary House,  
4 June 1857.Henry Venn,  
Hon. Sec. Church Missionary Society.

Right Rev.  
David Anderson,  
D. D.

(B.)

## STATISTICS of the Church Missionary Society's North West American Mission: 1857

4 June 1857.

STATIONS.	MISSIONARIES AND ASSISTANTS.	Com- municants.	Scholars.
Red River District:			
St. Andrew's Church -	Venerable Archdeacon Hunter -	200	—
School - - - -	Rev. W. W. Kirkby -		
	Mr. C. Mayhew, Model Training Master.		
School at Middle Church	Native Schoolmasters		251
Park's Creek			
Little Britain			
Mapleton			
Indian Settlement Church	Rev. A. Cowley - - -	150	—
Settlement School			
School at Broken Head River	Native Schoolmasters		123
Fort Alexander			
Old Saulteaux			
Portage La Prairie:			
Church - - - -	Venerable Archdeacon Cochran	47	—
School - - - -	Native Schoolmaster -		37
Islington: School-house	Rev. R. M'Donald (country-born).		
	Native Schoolmaster -		12
Fairford:			
Church - - - -	Rev. W. Stagg.		—
School at Station	Rev. James Settee (pure Indian)	25	—
Out-station, Jack River	Native Schoolmasters		62
Fort Pelly			
	Charles Pratt (native catechist)		
Cumberland:			
Christ Church - -	Rev. H. George	110	—
Two Schools - - -	Rev. Henry Budd (pure Indian).		
Out-station, Nepowewin	Native Schoolmasters		102
Moose Lake	Thomas Cooke (native catechist)	27	16
	John Umpherville (native catechist.)	23	28
English River:			
Church (building)	Rev. R. Hunt - - - -	73	—
School - - - -	Native Schoolmaster -		76
York-Fort:			
Church - - - -	Rev. W. Mason - - - -	24	—
School - - - -	Native Schoolmaster -		58
Out-station, Churchill.			
Severn.			
Moose Fort:			
Church - - - -	Rev. J. Horden - - - -	95	—
School - - - -	Native Schoolmaster -		30
Out-station, Rupert's House			
Albany - - - -	Isaac Hardisty.		
Osnaburgh.			
		774	795

## MISSIONARIES and AGENTS.

Beyond the Rocky Mountains:  
Fort Simpson, Columbia - Mr. W. Duncan, Trained Schoolmaster (on his way).  
Stations not fixed - Rev. E. A. Watkins; removed from Fort George.  
James's Bay.  
Rev. T. H. Fleming.  
Mr. Gardner, Catechist.

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Henry Venn,  
Hon. Sec. Church Missionary Society.

(C.)

Right Rev.  
David Anderson,  
D. D.COMPARATIVE EXPENDITURE of the Church Missionary Society on account of the  
North West America Mission, for 10 Years, 1847-48 to 1856-57.

4 June 1857.

YEARS.				AMOUNT.		
				£.	s.	d.
1847-48	-	-	-	1,910	8	-
1848-49	-	-	-	1,905	-	2
1849-50	-	-	-	1,789	1	-
1850-51	-	-	-	2,199	19	9
1851-52	-	-	-	2,877	5	6
1852-53	-	-	-	3,471	3	3
1853-54	-	-	-	4,002	7	11
1854-55	-	-	-	5,856	2	7
1855-56	-	-	-	5,711	18	-
1856-57	-	-	-	5,672	12	11

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Henry Venn,  
Hon. Sec. Church Missionary Society.

4250. How far are you personally acquainted with the stations and operations of the society within your diocese?—I have visited every station twice over that is occupied by any missionary.

4251. What is your opinion of the character of the missionaries on the whole?—They are very devoted and faithful men, and are doing a vast amount of good.

4252. I think you have had brought under your notice a part of the evidence given before us, in which it was stated that the missionaries had received a sop for doing certain things. From your knowledge of the men, have you any idea that they were subject to undue influences at all?—I imagine not. The grant was declined by one who imagined that he had enough without the grant; and it would have been made up to the other two by the Church Missionary Society independently; so that I do not feel that any influence was exerted over them prejudicially.

4253. What are the number and character of the native agents?—I have two native ordained clergymen, that is to say, native Indian clergymen, and one who is a country-born clergyman, namely, born in the country, but not an Indian in the same sense as the other two.

4254. Do you find them very efficient and competent?—They are very useful in acting on their countrymen. Still, my own impression is, that the perfection of work is a European and an Indian together; that there should be the European head, and the Indian as the mouthpiece.

4255. What success should you say has attended the labours of the missionaries in the instruction of the Indians, speaking generally from your eight years' experience?—Great success in particular places; the Indian settlement is like a parish at home in some measure, where they have their little farms around them, and some of the comforts of life.

4256. What is your estimate of the number of Indians under Christian instruction in the country?—It is very difficult to return an exact answer, because so many merely come to the missionaries for a short period of the year; many of them only come for a fortnight in the autumn, and a fortnight in the spring, and are away at their hunting-ground all the winter; but I think if you take those who are acted upon by Christianity, there may be from 8,000 to 10,000 who are acted upon more or less by it.

4257. How far have those who are brought under influence been induced to adopt settled and industrial habits?—Where it is possible they do adopt habits of industry, but that is only in the southern part of the territory; it is possible at the Indian settlement on the Red River, but it is not possible at Moose, on James's Bay, and not possible at York, on the Hudson's Bay.

4258. Why is it not possible at Moose on James's Bay?—From temperature; from the climate.

4259. *Chairman.* Is the temperature such that the ground is susceptible of

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no kind of cultivation?—Very little. At Moose they have tried crops of different kinds; wheat of rapid growth; but they can hardly depend upon it at all.

4260. I presume that if that is so, cultivation is quite impossible at York?—Quite impossible; but at the Red River, where I live, the crops are remarkably good; I think as good as in any part of Canada.

4261. Wheat is, comparatively speaking, a delicate plant; are there no other kinds of crops which can be cultivated at the Moose settlement?—They hope to grow a little barley, but it is very uncertain from year to year, from the summer frosts.

4262. Mr. Kimaird.] What is the social state and prospects of that Christian village called the Indian Settlement, on the Red River?—The population there increases at the present moment.

4263. The purely Indian population increases?—Yes.

4264. Have you any statistical fact of that increase?—I have here the following, which is from the register of the settlement. The total number of baptisms administered in this parish (that is the Indian settlement parish) in 15 years is 545; total of deaths, 308; balance in favour of the increase, 237.

4265. That is a very large increase, is it not?—Yes; that is from the actual return on the spot, from the register.

4266. Would you gather from that fact, that if you were enabled to form other settlements of these Indians in a good climate, you have reason to suppose that the same results would occur?—I think so; I think when settled the Indians increase; up the country they would decrease, from want of food and want of clothing.

4267. Do the births among the settled Indians exceed the deaths generally?—Yes, wherever they are Christianised and settled.

4268. What is the state of the Christian Indians who are still leading the life of hunters; who are still following their old occupation?—I think many of them very exemplary, but chiefly around Moose Fort; that is our best exemplification of missionary work. There the Indians only come perhaps for a short time in the autumn, and a short time in the spring, and are away almost the whole of the winter. They come to the minister on the spot and get instruction. They are chiefly taught in this system (*producing a paper*), not in our own characters, but in what we call the syllabic character, a sort of system of short-hand.

4269. Is that found very effective?—On this plan they can learn in three days enough to puzzle out the system for themselves; but in a week they can learn sufficient to go away and read their little books for the winter.

4270. Have you found them bring back the same books, having improved between the periods of their hunting and returning?—Yes; they wear their books to the very last degree; and when away from the minister they have their own family worship night and morning, and have their worship on the Sunday when it comes round.

4271. What do you find is the capacity of the Indians for reading and writing their own language?—I think they are very quick. Since I have been in London I have received a letter from them written in this syllabic character, and they write one to another as freely as we should write letters.

4272. What are the advantages of the syllabic system of writing?—It abridges the extreme length of the Indian words. The word for "darkness" (in "lighten our darkness") has 21 letters in the Indian language, written in full; but it would be very much abridged in this syllabic character. The word for "God," which we write in English perhaps in seven letters, has only three symbols in this character; so that it is as short to write as "God" with ourselves.

4273. Then you think that the Indians have responded to the benefits which they have had of the teaching to a much greater degree than you expected when you went out?—Very much more so. I am sure that a visit to Moose from any one would convince him of the fact.

4274. Do you think that more could be done for the Indians than has been done. Can you suggest any increased means. Could the Company do more for the benefit of the Indians?—I addressed a memorial to the Company lately (the Company asked me to address any suggestions which I had to make on coming home), and it was received by them in a very friendly spirit. I have a copy of the memorial here.

4275. What is the general character of the relations between the Indians and the Company; is it considerate and kind, should you say from your experience,

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or the contrary?—I think the Company have done much for the Indians in the length of time that they have possessed the country; much in saving the Indians through the length and breadth of the land. Of course, in some ways, I could wish that they had done more in the way of education; and in this memorial which I presented to the Company, I proposed the giving of a grant in aid if they would plant education at some of the leading forts up the country; they advancing one half, and the Church giving the other half.

4276. Have you had any answer to that memorial yet?—It has received an answer in several shapes from the Company. I am willing that the memorial should be lodged as a document with the Committee. I asked for a gift from the Company towards my immediate work at the present moment, which has been kindly granted at once.

4277. When was the memorial sent in; since you came home?—Yes.

4278. You returned in what month?—At the end of October.

[His Lordship delivered in a copy of the Memorial, which is as follows:]

(D.)

To the Governor and Committee of the Honourable Hudson's Bay Company.

Gentlemen,

On my first appearance at your Board after my return, you were kind enough to ask me to prepare a memorial, containing any suggestions regarding the condition of that country in which we have a common interest. The subject has been very often on my mind since; and constant occupation has alone prevented me from complying sooner with your request.

It is indeed difficult to advance any general propositions regarding the territory, from the entire difference of condition of the Red River Settlement and that of the country at large. And yet, if Rupert's Land is to rise, it must be from encouragement given to the Settlement. Now, the one barrier which most retards its progress would be the want of direct approach, except on the side of the United States.

Would it not be possible to improve in any way the navigation from York Fort to Lake Winnipeg, or to open a more direct communication from Lake Superior to the Red River? The condition of some of the Rapids is certainly very dangerous on the way from Norway House. An outlay comparatively small might remedy some of these, so as to facilitate the importation of English goods. A survey too of the land intervening between Fond du Lac and the Settlement might open up the other route, with perhaps even a smaller risk.

My own feeling is strong that the country will now admit of immigration, if conducted on a wise and cautious scale. Artisans and tradesmen are certainly required at the present time at the Red River. If a small number of carpenters, masons, and blacksmiths could gradually be sent out by the Honourable Company furnished with a free passage, it would raise the character of the population and lead to the foundation of special trades. If not conveyed out from Britain, they will soon find their way across from the United States.

Perhaps some young men could be found to go out in such capacities from industrial schools, and the Home Government might be induced to contribute towards sending them out in the first instance, if grants of land were held out to them in prospect after a certain period of residence in the territory.

Another settlement might surely be attempted, in addition to the solitary one at Red River. As occupying an intermediate position between it and Canada, the spot indicated by Sir G. Simpson, between Lac la Pluie and the Lake of the Woods, might be selected. If the Company were willing to extend some assistance annually towards such an object, I should be glad to promise a clergyman and a schoolmaster. Such a measure would manifest an earnest desire for the welfare of the Indian, and that large population over which the Company bears rule.

I have to express my obligation for much valuable aid which has been rendered to me by your Board and the Council of Rupert's Land in the erection of churches and other ecclesiastical matters. More especially, I leave to thank the Company for undertaking to build at their own cost the churches at Moose and at York, now in progress. On this head I have but one petition to present, which concerns my own cathedral, to be commenced immediately on my return. Might I ask from the Honourable Company a grant of 500 l. towards that object, to be paid in two annual instalments? The Society for Promoting Christian Knowledge have granted me such a sum, and I trust that the Company will not be unwilling to contribute the like amount to that church, which will be the mother church of all the churches of the land. Of the need of such a building, instead of the present church of St. John's, Sir G. Simpson is well aware, as he is also of the difficulties which will attend the undertaking. When standing on the spot this summer, Sir George himself recommended me to take out an architect or a contractor of a better description from England with me.

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I have to request a passage to Moose Fort by the "Prince Arthur" for Mr. Fleming, of the Church Missionary Society. He goes out to assist the Rev. John Horden, as the Rev. E. C. Watkins will now be removed towards the Saskatchewan.

I can scarcely expect the Company to add to our clerical staff; and yet I should feel it a great relief if they could increase the salary of their own chaplain, the Rev. J. Chapman, after seven years' service, to 200*l.* per annum, as the 50*l.* in addition to their 150*l.* falls entirely on myself.

In education I gratefully acknowledge the 100*l.* still continued to the Red River Academy, and now devoted to the Academy for Young Ladies at St. Cross. The matter which weighs at times heavily on my mind in this department would be the thought of so many at some forts without any education afforded them, as, for instance, at Fort Carlton. If a schoolmaster could be appointed at such leading spots as Carlton, Albany, Lac Seul, the Company bearing half the expense and the Church the remaining half, it would be a mighty lever for elevating and improving the land. It would be a source of great pleasure to me if the Company would sanction such a proposal, even for four or five of the principal forts.

Such matters are more under my own cognizance than the details of social and political economy. I cannot, however, refrain from saying, that I deem the present tariff on goods at York, at the Red River, and up the country, higher than can be justified on the usual principles of commerce. I only mention this as a subject for the consideration of the Board, as a point which I feel it difficult to account for when called upon to do so in public.

The Indian tariff might, I have always thought, be somewhat more equalised over the country. An identity of price for furs is not, of course, to be expected; but a greater equality of price might, I am sure, prevail with great advantage when two forts are so near as Fort Alexander and the Red River, or even Cumberland and Norway House. In saying this, I must, however, profess an entire ignorance of such concerns, having always purposely abstained from entering into them. Of the general fact I am of necessity conscious, and merely on that account would plead, as I am in duty bound, on behalf of the poor Indian, who has often represented to me his condition, and begged me to undertake his cause.

On the general question of the trade of the country, I subjoin an extract from a letter received since my return to England from one formerly in my own diocese, but now in that of Toronto, who is a shrewd and acute observer of passing events, and whose name will at once suggest itself to many of the committee, and which tends to corroborate many of the views given in the above memorial.

Referring to the agitation in Canada on the subject of the charter, the writer observes—

"After four years' residence in Canada, my own opinions are unchanged as to the evils that would follow free trade in furs. It would doubtless enable unscrupulous adventurers to make money in the southern part of the territory. Rum would be largely used, and the Indians greatly demoralised, and difficulties consequently thrown in the way of missionary operations. I never hesitate to express my opinion to that effect whenever I am asked what I think of the movement.

"The Company will moreover have to relax their system. It is useless to attempt keeping things as they were 100 years ago. All the southern parts of the territory susceptible of improvement will have to be given up for agricultural purposes. A large portion of Rainy Lake district, and of Swan River and the Saskatchewan districts, together with the Red River, will ultimately fill up with settlers. As Minnesota fills up, settlements are sure to extend north of the boundary line."

My opinion, expressed to all, after the experience of seven years, would be that to throw open the trade to free competition would tend to the speedy ruin of the Indian. My own desire and endeavour would be to raise and rescue them as a people, and to prepare them to be able to stem the current when civilisation, as it gradually must, spreads westward from Canada over this mighty territory.

As regards the sale of spirituous liquors to the Indians, I rejoice to find that measures are about to be taken for their entire or partial disuse in the course of this year. That they can be brought to an end at once is scarcely possible, from the growing facilities of importation from the United States, but the example on the part of the Honourable Company (if the plan mentioned to me by Governor Johnson shall be carried out) would be productive of the best consequences. The chief difficulty to my own mind has always been the entire disuse of spirits along vast tracts of the country, as in the Moose and Albany districts, and their use in other quarters. That the custom of distributing spirits to the Indians, when coming in large bodies to the forts, is often attended with fatal consequences I am aware from actual knowledge; and very earnestly would I entreat that some substitute be made—a gift of tea, or any other thing prized by the Indian—instead of that which ruins so often both body and soul. In making this appeal, I speak in the name of all my own clergy, and also in the name of the Rev. J. Black, of the Presbyterian communion, who, in a special letter sent after me, besought me to use any influence in my power to remedy this crying evil. My belief is, that if the Company gives up the practice, the free traders will be led immediately to discontinue it. At least, I think I may answer for the Protestant population.

Such are a few of the leading points to which my attention has been chiefly called, given in

in a more desultory shape than I could have wished; from the constant pressure of engagements. Others may occur to me during my stay, which I should at once state to the Board, with the same frankness and openness as on the present occasion. If any matters admit of easier explanation by word of mouth, I would again wait upon the Company at one of their subsequent meetings.

The committee will, I am sure, give me credit for a sincere and earnest desire for the best interests of the country. That desire we feel, I trust, in common, and our anxiety would be to promote any measures which might be proved to have a beneficial tendency. In looking back upon seven years, the progress has in many things surpassed my expectations; but when I look towards Canada and the United States, I am disappointed that there is not more of perceptible growth. I know, however, the peculiarities of the land, and I should not like to witness any rapid changes. My prayer and earnest wish would be, that the Company might be led to devise some changes which might at once be sound and salutary, and in accordance with the spirit of the present age; such as may tend to the good of all committed to their care, whether Europeans or Indians; their temporal advantages in the present world, and their higher interest as immortal beings, to be trained for another and an unending state.

Commending these remarks to your candid and favourable consideration,

I have, &c.

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4279. Do you wish to state to the Committee any suggestions with reference to the Indians; respecting the education of the Indians?—I should much like it if the Company would undertake what I stated, a sort of grant in aid towards education. What I feel most is my inability to carry out our own system further north and further west.

4280. Do any other religious denominations co-operate with you there?—There is a Presbyterian church in the settlement, about two miles from myself. The basis of the settlement, the Committee are aware, has been from Scotland; from the mainland of Scotland, and from the Orkney Islands.

4281. *Chairman.*] There are Roman-catholic missionaries, I believe?—Yes, there are Roman-catholic missionaries as well. About half the population of the Red River are French Canadians; they have their own bishop resident on the spot, and their own priests.

4282. Are you able to give the Committee any estimate of the total number of the members of the Church of England who you think are to be found in Rupert's Land; I mean among the Indian or half-breed population?—I think, taking those acted upon by Christianity, they would be about 8,000.

4283. Do you mean including all denominations of Christians?—No, even of our own Church.

4284. Taking all Christian sects into account, Roman-catholics and all, can you give the Committee any idea what, in your opinion, is the number of Christians altogether among the native population in Rupert's Land?—Perhaps about 6,000, added to the number which I have given.

4285. Do you mean of the native and half-breed population?—Yes.

4286. Are you speaking of the Red River only, or of the whole of Rupert's Land?—The whole of Rupert's Land. There are, perhaps, 8,000 of our own Church, and 6,000 besides, including Roman-catholics and all others; that would make 14,000.

4287. Do you believe that there are only about 14,000 persons of Indian origin in the whole of Rupert's Land who profess Christianity?—I do not think there are much more.

4288. Including the Red River Settlement?—The number would not be much more; not more than 16,000, I think.

4289. I presume you mean to include in that answer the half-castes of the Red River, and in fact the whole of the Indian population, whether full blood or half-breed?—I do.

4290. *Sir John Pakington.*] But you exclude Europeans?—Yes, pure Europeans.

4291. *Chairman.*] Do you know what it is generally supposed that the whole of the Indian population in Rupert's Land amounts to in point of number?—I have scarcely the means of saying. I have seen Sir George Simpson's return, and he has more accurate means of knowing than I can have. My own impression is, that it is a little larger than is given by Sir George.

4292. What is his number?—One hundred and thirty-nine thousand, I think.



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4293. Mr. *Christy*.] Your Lordship's position has necessarily brought you much into communication with the authorities of the Hudson's Bay Company. May I ask you what opinion you have been led to form of the character of their government?—Personally, they have assisted me largely in many ways. Their disposition latterly has been to do much more for the Indians in carrying out civilisation; but of course the direct object of the Company would not be to colonise or to settle. In the memorial which I presented to them, I stated that I thought the time had come when immigration on a cautious scale might take place.

4294. Do you consider that their government is favourable to the development of the resources of the vast territory under their jurisdiction?—Hardly of those of the southern part of the country, where, I think, agriculture is possible; along the southern parallels.

4295. Do you think it favourable to the civilisation and improvement of the inhabitants?—If colonisation and settling are meant, I should say not so.

4296. I think you have travelled over a great extent of country. Have you found in the districts in which you have travelled, where missionaries have penetrated, any great improvement arising from the labours of those missionaries?—Very much so. Then it is controlled very much by the circumstances of the country. Of course it is very much more visible at the Red River Settlement and around it than it is in other spots.

4297. Do you find from their reports, or from your own knowledge of the district in which you have travelled, that there is a great change beyond that state of nature which may have existed for a very lengthened period?—Very much. I hold in my hand a letter which I have received from one Indian since I have been in London. I think the fact that a mere Indian should send his thoughts 6,000 miles across and communicate with me shows a very great rise in the scale of being.

4298. Is that answer given in a religious point of view, or with respect to their social improvement?—It refers to a religious point of view, because this is from Moose, where they are not capable of much advance otherwise.

4299. Will you be so kind as to answer as to the moral and social state of improvement. Do you suppose, from the inquiry which you have been able to make, and from your personal observation, that the inhabitants of that country have changed much from their primitive state during the last 20 years?—They still follow the chase and hunting; but at the same time, socially, as regards their position in life, they are much improved.

4300. Do you know whether any attempt has been made to develop the mineral or agricultural resources of the country, or to foster any kind of trade other than that in furs?—I think not as regards the minerals. In agriculture encouragement has been given at the Red River by the Company in measure, and I think it is an object to develop that more and more at the present time.

4301. Mr. *Roebuck*.] Will you be good enough to state in what way aid has been given?—The Company have often provided seed for the Indian; they have helped them on in their farms.

4302. Is that the chief mode?—They have helped them in building their houses at the Red River.

4303. The Indians?—The Indians of the Indian settlement at the Red River.

4304. Not the other colonists?—The others hardly require it very much at the Red River.

4305. Mr. *Christy*.] Is the country between Lake Winnipeg and the Moose Factory well wooded?—In parts it is. The part that is best adapted for agriculture is near Fort Alexander, just after leaving Lake Winnipeg, and where I think there might be a settlement if it were fostered; that is, just at the southern extremity of Lake Winnipeg.

4306. Viscount *Goderich*.] Somewhat to the north-east of the Red River Settlement?—Yes.

4307. Mr. *Christy*.] Can you inform the Committee what the prevailing kinds and quality of the wood there grown are?—There is not a great amount of large timber on the route going to Moose; there is a great deal of rock on the way. I do not think there is timber which would be valuable on the way to Moose.

4308. You think that for a timber trade it would not be likely to answer?—Certainly not.

4309. Have

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4309. Have there been any facilities given by the Company for a trade in timber?—I am not aware of any.

4310. Mr. *Roebuck*.] Are you aware of any market for timber there?—Merely for the wood which is used in burning.

4311. Is there any market there for timber?—Merely for house-building purposes.

4312. The timber of commerce I think is chiefly confined to pine and oak. Is there any market for pine and oak there?—Merely for building.

4313. Merely for the settlement?—Merely for the settlement.

4314. There are no means of exportation?—None.

4315. And therefore the timber trade cannot be said to exist there?—No.

4316. Mr. *Edward Ellice*.] I think your Lordship said just now that there was no timber there which would make a trade?—Not along the route to Moose. The oak only lasts a little way on the route to Moose; you very soon lose the oak at one particular spot.

4317. Viscount *Goderich*.] Will your Lordship tell the Committee what route you followed from Lake Winnipeg to Moose?—By Fort Alexander, across Lake Sal, by Osaburgh House, Martin's Falls, down the Albany River, and from Albany to Moose.

4318. What mode of conveyance did you use?—A canoe.

4319. How long did it take your Lordship to go from Fort Alexander to Moose?—I was absent going and returning three months and a half, spending a fortnight at Moose.

4320. It took you about six weeks then?—Yes.

4321. Mr. *Christy*.] Does the character of the vegetation show any amelioration of climate in that quarter, as compared with the country between Lake Winnipeg and York Factory?—I think it has hardly been sufficiently tried around the Red River; that is to say, where the agriculture exists; we have not as yet any amelioration of climate.

4322. Mr. *Roebuck*.] I suppose the extent of clearing is small?—At the Red River they have cleared almost too much where they have begun clearing; that is to say, they sweep away trees and all.

4323. Is the area of clearing large?—It extends down the Red River, say 30 miles.

4324. Taking the face of the country, is the area of clearing large?—It is very small.

4325. Therefore any amelioration from clearing can hardly be expected?—No, not as yet.

4326. Mr. *Christy*.] I believe that the country round James's Bay was the earliest occupied by the Hudson's Bay Company; has your Lordship any reason to believe that the animal resources of the country in that district are beginning to fail?—I think that living is more difficult than it was formerly, from all I hear. They are very dependent on the fowls, or the goose-hunt which is conducted at Albany. In the one year when I visited Albany they had 20,000 of the wild geese, and then they stopped; that was enough for their immediate wants.

4327. With regard to the animals, you think that they are more scarce?—I think so.

4328. And living is more difficult?—Yes; that is the general report of the Indians themselves.

4329. Are buffaloes, and deer, and the larger animals which supply food abundant?—They vary very much from year to year; the buffalo has almost failed the last year; but then they may be more abundant the following year.

4330. Mr. *Roebuck*.] The buffalo is always confined to a certain district, is it not?—Yes.

4331. Where there is wood there is no buffalo?—Exactly so; on the prairie and open land the buffalo is found.

4332. Mr. *Charles Fitzwilliam*.] But I believe the buffalo is not found about Moose, is it?—No; the buffalo is towards Fort Pelly; towards the prairie land.

4333. Mr. *Christy*.] On what do the natives generally subsist?—Upon the fish and upon the fowl. During portions of the year their food is so abundant, that they are very improvident as regards the rest of the year.

4334. Has your Lordship heard of any cases of death from starvation among  
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the Indians?—They are higher up the country than my own knowledge extends.

4335. Are you aware whether the Company have made any attempt to collect the natives into villages, with a view to instruct them, either in agriculture or otherwise, in any of the districts which your Lordship has visited?—Those more distant spots are scarcely agricultural spots; I think the effort to collect them into villages has hardly been made by the Company.

4336. Are the Company's forts provided with medical men, or persons qualified to administer to the necessities of illness?—There is a medical officer at York, there is a medical officer at Moose, and there are one or two medical officers at the Red River.

4337. Have you found many Indians afflicted with disease, and at all provided for by any means which the Company have at their disposal?—They have at each fort a supply of medicine, and even where there is not a medical officer they give a supply to them.

4338. Are any diseased or old people among the Indians supported by the Company; are there any means of support given by the Company to old or decayed Indians?—I think there are pensioners, but not as a general rule.

4339. You do not know whether any sums of money are appropriated at the annual meetings of the Council for the support of aged and disabled hunters?—No, I have no means of knowing.

4340. Have you any knowledge of the Council at the Red River?—No; they generally report to me what bears upon ecclesiastical matters, and only such points.

4341. Do you know anything of the grants of the Council for educational purposes?—Yes; those would be reported to me.

4342. Are you aware that any exist?—They give me a grant of 100 £. a year towards my schools at the Red River.

4343. Are you aware whether they have established any other schools or churches?—They are building, at the present moment, a church both at Moose and at York for me.

4344. Is that done at the Company's expense or is it connected with one of the missionary societies?—It is done by the Company at Moose and at York. The difficulty at those spots is to get labour; there is a difficulty in getting independent labour.

4345. Are the native population within your Lordship's jurisdiction supplied, as a general rule, with any agricultural implements, or with wheat and potatoes. You spoke of seed; are they supplied with seed by the Company free of charge?—Yes, they are, at times.

4346. And with implements?—I do not know as to implements.

4347. Does your Lordship consider that throughout the country the Indians are increasing or decreasing?—Increasing where they are settled, and decreasing up the country, from want of food and clothing.

4348. Viscount *Goderich*.] On the whole, does your Lordship consider that they are increasing or decreasing?—I am afraid they are decreasing, because the number settled of course is comparatively very small.

4349. Mr. *Christy*.] Have you ever received any complaints from the clergy of your diocese in any way of obstruction or opposition to them in the establishment of their missions?—There has been a difficulty in carrying out settlements at times.

4350. Will you be so kind as to tell the Committee in what way?—There was a difficulty connected with the settlement of Portage La Prairie, near the Red River, on the Assiniboine River. I think the Company rather felt that there might be a difficulty in carrying out the protection of the portage if it were occupied; that it would require a great constabulary force, and so on.

4351. Viscount *Goderich*.] Protection against what danger?—In a municipal point of view it would require the extension of the rights of the settlement to it.

4352. Mr. *Christy*.] Has there been any other complaint of any obstruction to that colonisation or settlement which I have spoken of, on the part of any of your clergy?—That is the chief one since I have been out in the seven years, because Portage La Prairie has been established in that time; the other settlements were formed prior to my going out.

4353. Can you tell us whether you think that any discouraging influence is used

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used by the Company with reference to settlements of that description, which has come within your own knowledge?—I rather feel that it is not the wish of the Company that settlements should be formed, because it increases the local expense of the Red River government; that is what I meant to explain before.

4354. Viscount *Goderich*.] Therefore the result of your experience on the whole in that matter is, that the Company do not wish settlements to be formed?—I think all would feel that; that it is not the direct object of the Company as a commercial company.

4355. Mr. *Roebuck*.] That, in other words, they feel their interests opposed to the increase of colonization?—Yes, I think so.

4356. Mr. *Christy*.] Do you think that there would be great advantage to the country by an encouragement to settlement and colonization; "colonization" is rather a grand term, but speaking in a moderate point of view?—My own feeling is strong that colonization on a moderate scale might be adopted at the present moment, just along from the Red River westward, and that it is a great object to the British Government to watch the whole of the frontier, and to occupy it as firmly as possible.

4357. *Chairman*.] You think that the whole of the country which abuts on the southern border of the territory of the Hudson's Bay Company is such that settlement should be encouraged there, so far as it will admit of it?—I think so; I think it is a sort of highway of the West, which ought to be so far strengthened in some way, and settled along the boundary.

4358. Mr. *Christy*.] Following that point out, speaking of the benefit of the country, taking into account the character of the country, its climate and its capabilities, do you think that great advantage might accrue to the whole territory by a greater encouragement being given to settlement and colonization?—I think so, very strongly; to the southern part of the territory.

4359. Looking at the question in a broad sense, would not a great advantage be gained to the whole of those portions which are capable of settlement as respects climate, and as respects mineral resources, if greater encouragement were given to settlement and colonization?—I think so, very strongly; limiting the answer to the southern parallel of the country.

4360. Mr. *Edward Ellice*.] To what parallel do you allude there?—From 49 degrees, perhaps two or three degrees.

4361. From 49 degrees northward?—Yes.

4362. How far north, do you think?—Certainly as far as Fort Alexander, which would include about 100 miles north.

4363. Mr. *Roebuck*.] Would that stretch to the northern point of Lake Winnipeg; do you think that colonization is not possible to the northern point of Lake Winnipeg?—I think along the southern branch of the Saskatchewan, and a part of the northern branch, up to Edmonton.

4364. That is as far north as the northern point of Lake Winnipeg?—Yes.

4365. From the boundary line up to there, in your opinion, it is fully capable of colonization?—I think so, with advantage; portions of that country.

4366. Mr. *Grogan*.] You would include Fort Cumberland?—Yes, I would; that lies on the line of the Saskatchewan.

4367. Mr. *Edward Ellice*.] What inducements which could be held out, do you think, would lead to emigrants going there; what inducements would you propose to be held out?—I think they all could live comfortably on the produce of their own farms.

4368. Do you think that emigrants would go there merely upon the Government saying, "There is land for you to settle upon if you go," without any further inducement being held out than possession of the land?—I almost imagine so.

4369. *Chairman*.] Do you think it is desirable that that question should be put to the test of experience; that the country should be rendered susceptible of settlement?—I think so. At the Red River we certainly want persons of definite trades; we have no tradesmen, as such, at the present moment. Of course, every man is everything; a carpenter is also a farmer, and raises his own crop. I think at the present moment, as I have said in the memorial to the Company, we want carpenters and blacksmiths, and masons. In the event of my rebuilding my own church, I shall be obliged to take out an architect, or a better builder. Sir George Simpson recommended me to do so. I think that some,

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even if sent from industrial schools, might be of use to us at the present time, and that class of population.

4370. Mr. *Lowe*.] Supposing we should found a colony; in the event of a war with America, do you think we could retain it?—That is my own impression.

4371. How should we get at it to support it in case it was invaded?—I hope, from Lake Superior.

4372. Is not the only entrance to Lake Superior in the hands of the United States, namely, the canal by Sault Ste. Marie?—I hope that the avenue towards Canada may be opened up more and more from year to year.

4373. Which way?—From Lake Superior.

4374. Supposing we have got to the entrance of Lake Superior, is there not a canal by which you enter Lake Superior?—Yes; I mean keeping on Canadian or British ground.

4375. All along the northern coast of Lake Superior?—Yes.

4376. Mr. *Roebuck*.] What is the communication between Lake Huron and Lake Superior?—I cannot give any definite statement beyond what is known to the Committee.

4377. Mr. *Lowe*.] It is a canal, is it not, which is in the American territory?—Yes.

4378. Mr. *Roebuck*.] Is there not a natural channel between the two lakes. Lake Huron and Lake Superior are surely connected, are they not?—I thought so.

4379. Mr. *Edward Ellice*.] Has your Lordship ever been that route?—No.

4380. Viscount *Goderich*.] In the event of a war with America, under existing circumstances, surely the United States would be just as likely to take the territory as if it were settled; and they probably would find it rather more easy to take it as it is now?—I have scarcely considered that question.

4381. Mr. *Grogan*.] When your Lordship went out to your diocese, what route did you follow?—I went out by the Hudson's Straits and returned by the Hudson's Straits; so that I have never been out of my own territory during the seven years that I have been away.

4382. You do not know anything of the route between Red River and Lake Superior?—Of course it is a very commonly travelled route. I have not taken it on my way to Moose; if I live to go to Moose again, I shall take that route.

4383. Mr. *Christy*.] In pursuance of those inquiries which I have made, I will ask you, with respect to the Red River, what is your opinion of the population there as regards their intelligence and their means of supporting themselves; that is to say, their knowledge of agriculture and their general information and intelligence?—We have very good schools, better than the average of parochial schools. They have very much of the comforts of life; more than the average of farm labourers at home; and I think every year there is a great measure of intellectual development going on among them.

4384. With regard to the half-caste population, will you have the kindness to tell the Committee your opinion in reference to that portion of the inhabitants of the Red River Settlement?—My own impression is favourable; that we must look to the half-caste population as the strength of the settlement of the country. The number of those of pure blood, the Scotch population, is comparatively only small, so that our dependence must be on the half-caste population in a great measure; and they are those more immediately connected with my own church.

4385. Mr. *Roebuck*.] Are you aware of any great settlement ever having been made by a half-caste population on the continent of America?—No, I have not.

4386. Are you at all aware of the fact that the brown population dies out as the white population advances?—Such is said to be the general statement; but still, in our own case, as regards the Indian Settlement parish, it is the other way, the population is increasing.

4387. How large is the population in that parish which you now speak of?—It is one of four churches on the Red River; the Indian Settlement parish has a population of 650.

4388. Indians or half-breeds?—Indians.

4389. How many half-breeds are there there?—They come in the adjoining parish, higher up on the Red River.

4390. How

4390. How many half-breeds have you in your diocese?—A very large number; perhaps 1,500 or 2,000 on the Red River.

4391. So that, taking them all together, adding the 2,000 half-breeds to the 600 full-blooded Indians, you have 2,600 inhabitants with the Indian blood in them?—Yes.

4392. Supposing colonization to be open to the white man, are you at all aware of the fact which has been proved by long history in America, that wherever colonization by the white man takes place the brown man disappears?—It has been so in the United States.

4393. Has not it been so in Canada?—It has been in a measure true in Canada.

4394. So that, in fact, in all parts of the territory of America in which the white man has appeared, the brown man has disappeared?—I am rather unwilling to believe it as regards one's own country, because I think that more of effort is made for the Indians. I am sure that the Indian effort is more successful in our country than in the States or in Canada.

4395. You are speaking of the Indian effort applying to 2,600 persons?—To the much larger number of 8,000 Indians, taking the whole territory.

4396. But that territory, I take it, has nothing to do with colonization?—No.

4397. As to that part which is affected at all by colonization, from the very imperfect colonization to which it has been subject hitherto, your experience goes in favour of the fact that the brown man can resist the encroachments of the white man?—It does, but of course I may be a partial judge in the matter.

4398. Have you at all contemplated the fact of the whole territory which is capable of colonization being thrown open to colonization; what would then be the effect upon the brown man of that altered circumstance?—I think of it almost daily. My hope is that the Indian may be raised in the interval before the civilization sweeps westward, as it must; and I always feel that my object is to raise a people as well as to give them Christianity.

4399. Do the habits of the brown man ever make him a colonist; have you any evidence in the whole continent of America of the brown man being a colonist?—There are the Cherokees, in the United States.

4400. How long has that experiment been tried?—For some years with the Cherokees.

4401. That is the solitary case of the brown man withstanding the encroachments of the white man?—My impression is, that it has hardly been tried well yet; that we may be more successful than in previous cases.

4402. Supposing that the policy of the Government were changed, and that the territory were opened to colonization, should you then consider it a matter of very great importance to maintain the Indian population there?—Very great.

4403. Why?—My own feeling is, that by opening the whole country to free competition the Indian would be sacrificed.

4404. He would disappear?—Yes; but I think that if we can keep the southern part as a colony or province, then the Indian may still be preserved.

4405. Why would he disappear; is it because a more energetic, a more civilized, and in fact, a more intellectual man would come in competition with him?—Because of the baits which would be held out; there would then be an abundance of spirituous liquor brought in.

4406. But spirituous liquor affects the health of the white man as it does that of the brown man, does it not?—But he falls more readily beneath the temptation.

4407. That is to say, he is less civilized?—Yes.

4408. The more civilized man conquers the less civilized man?—He does.

4409. Do you think it advisable to maintain the less civilized man in a community which will hold the more civilized man?—I should be very sorry to forfeit the Indians in the territory.

4410. That is not my question; the question is, do you think it would be advisable to keep the territory in such a condition as should maintain the existence of a less civilized population, when it would really maintain a more civilized population?—If I thought that the Indians were to be forfeited, I would rather keep back the more civilized.

4411. That is to say, you would prevent the colonization by the more civilized man, to maintain the existence of the less civilized man?—I think

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each might have his position in the country, the civilized in the south, and the Indian further north.

4412. Does not it come to the conclusion to which I have endeavoured to draw you?—I should be sorry to allow it, as regards the Indian.

4413. Though your sympathies may go thus, does not the reasoning lead you to the conclusion to which I wish to bring you?—I hope the experiment may yet save the Indian.

4414. *Chairman.*] Do you not think that the true policy would be to establish just and equitable laws, as between the brown and the white man, and to leave the rest to take its course?—My own feeling would be in favour of a settlement, a colony, or a province in the southern part of the territory, stretching from Lake Superior to the Rocky Mountains.

4415. Not asking whether a man was brown or white, provided he obeyed the laws and behaved well?—I think so, and I think the Indian might still be saved.

4416. From what you have seen of the half-breed race at the Red River, do you despair of their being useful and prosperous members of a civilized community, under proper laws?—I do not despair in the smallest degree of them.

4417. Are you aware of the circumstances under which the Indians within the province of Canada are at the present moment?—I know of one spot on Lake Huron where they are.

4418. Is it not the case that some of the tribes have landed property to a considerable extent, and even funded property?—I think that is more the case among the Cherokees in America.

4419. *Mr. Roebuck.*] Still I think you have expressed an opinion, that if there were free colonization the white man would overrun the brown man?—Yes, if it were free over the whole country.

4420. Therefore, if there were equal laws for the brown man and the white man, the brown man would disappear?—Yes, unless it were controlled in some way.

4421. *Mr. Christy.*] With regard to this question, I think I asked you your opinion generally of the intelligence of the people who are resident in that colony of the Red River. May I specifically ask you what your opinion is with regard to the intelligence and thriftiness of the half-caste population at the Red River?—It is not equal to that of the European, but still I think that it is a matter of growth, and that there is no reason to despair regarding them.

4422. Are there not many very intellectual persons among the half-caste population at the Red River?—Very; some have been in my own service who have been very intelligent, and some have advanced in different ways in life.

4423. *Chairman.*] Are there many who are clergymen of the Church of England?—Yes, there is the one whom I called a country-born clergyman, though not a native Indian clergyman.

4424. But has he Indian blood in his veins?—He has.

4425. *Mr. Christy.*] There are many of them possessing property?—Yes; all have their farms, and some have made a large amount of property.

4426. *Chairman.*] Have you heard of half-castes in Canada who have held commissions in Her Majesty's service?—I think so.

4427. *Mr. Christy.*] Are there not numerous instances of alliances formed between the half-castes and the pure Europeans?—Very many.

4428. They are constantly going on?—Constantly.

4429. And alliances amongst those persons who are in the better class of society there?—Continually.

4430. *Viscount Goderich.*] Did I rightly understand you to say that the case of the Portage la Prairie was the only one in which the missionaries had met with any obstruction on the part of the Company?—It is the only one since I have been out.

4431. You are acquainted, I believe, with the Rev. Griffith Owen Corbett, who gave evidence before this Committee?—Yes.

4432. He stated in that evidence that he had a station at a place called Eddingley, and that he had there conceived that various obstructions were thrown in his way; can you give any account of that matter?—I believe it was for

for the same reason as I stated before, that the Company imagined that the expenses of the government would be increased by a settlement being carried out in that direction.

4433. You believe that some obstruction of that kind was found by the Rev. Mr. Corbett in that place?—Yes.

4434. *Mr. Grogan.*] Will you explain a little further to what you referred when you said that the expenses of the Company would be increased if the settlement were established?—The expenses of the Red River are already great by the maintenance of constables, a local force, and so on.

4435. What may be the amount of that local force?—It is not a large amount; perhaps 12 constables.

4436. *Mr. Roebuck.*] How are they paid?—They are paid by the Council at Red River.

4437. Then if the population increased, would not the means of payment increase?—We have no local taxes except on the imported goods.

4438. Would not the means of payment increase if population increased?—I think so.

4439. Therefore the increase of population would not diminish the power of maintaining the government?—No, I think not, if viewed on a large scale.

4440. Therefore the increase of population would, in fact, go to the maintenance of the government?—I only stated the reason of the Company.

4441. *Mr. Grogan.*] Is it within your Lordship's knowledge that any attempt has been made by the Hudson's Bay Company to establish a settlement in other districts besides the Red River; has any attempt been made near the Rapids, within your knowledge?—I think not.

*Joseph Maynard, Esq., called in; and Examined.*

4442. *Chairman.*] YOU are the Solicitor to the Hudson's Bay Company, I believe?—I am. *Joseph Maynard, Esq.*

4443. The Committee are desirous of having a copy of the licence to trade which the Company have received from the Government, over the country to the westward of Rupert's Land; can you put that in?—I can. I do not know whether you are aware that this is already printed; it is one of the Parliamentary Papers; I can refer you to it. There have been two licences. The licence of 1821, which was the first, is in page 21 of a Return in August 1842; the other licence, which is of May 1838, is in page 9 of the same Return.

4444. Have all the papers relating to that transaction been published, or are there any others in the possession of the Hudson's Bay Company which would throw light upon it?—I think they have all been published. The foundation of them, of course, was the Act of 1 & 2 Geo. 4.

4445. Are there any papers in existence relating to the tenure by which the Hudson's Bay Company now hold Vancouver's Island which are not already before the public?—I think not; I think that the correspondence previous to that grant being made is printed. The grant itself of Vancouver's Island is in page 13 of a Return ordered to be printed on the 7th of March 1849.

4446. *Mr. Roebuck.*] When was the grant made?—The grant is dated the 13th of January 1849. It was prepared in 1848, and the correspondence upon the subject was in 1848. I can, I believe, furnish separate copies; but the documents being printed, are more conveniently referred to, probably, in that shape.

4447. *Viscount Goderich.*] I think you were present during the examination of the Bishop of Rupert's Land?—I was.

4448. Can you explain the point as to how far the Hudson's Bay Company are bound to pay 300*l.* a year to the bishop, or how far they have the power to withdraw it if they please?—The Hudson's Bay Company have come under a binding obligation to make that payment to the Bishop of Rupert's Land. I did not happen personally to be engaged in the transaction, but I have informed myself of the nature of it; and at the time when the Court of Chancery made the Order, by which the fund arising out of the bequest which has been alluded to was placed in the names of trustees, the Governor and Deputy Governor of



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the Hudson's Bay Company being two of those trustees, it was subject to a binding engagement on the part of the Company to make an annual payment 300 l. a year.

4449. Mr. Grogan.] It is a judicial decree, in fact?—No, I can hardly say that. The judicial decree is the transfer of the fund, with that condition. You can hardly say that there was a power on the part of the Court to make a decree of that kind; but the Company consented to coming under that obligation, upon the money arising from the legacy being applied to the support of the bishopric.

4450. Have you a copy of the decree, and the condition attached to it?—I have not one here, but I can obtain one.

*Martis, 9<sup>o</sup> die Junii, 1857.*

MEMBERS PRESENT.

Mr. Blackburn.  
Mr. Christy.  
Mr. Edward Ellice.  
Mr. Charles Fitzwilliam.  
Viscount Goderich.  
Mr. Grogan.

Mr. Kinnaird.  
Mr. Labouchere.  
Mr. Matheson.  
Viscount Sandon.  
Lord Stanley.

THE RIGHT HON. HENRY LABOUCHERE IN THE CHAIR.

*Alfred Robert Roche, Esq., called in; and Examined.*

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4451. *Chairman.*] YOU are a Canadian, I believe?—I am an Englishman, but I have been in Canada for the last 16 years.

4452. In what part of Canada have you resided?—I have resided in Quebec, in Montreal, in Kingston, and in Toronto. I have been five years in Quebec, and about five years in Montreal.

4453. Are you in any profession?—I am attached to the provincial secretary's department.

4454. In short, you are in office in a public department?—Yes.

4455. What situation do you hold in that department?—I am fourth clerk.

4456. Have you visited England in any official capacity?—If you will allow me, I will hand in my instructions from the Government.

4457. Will you have the kindness to read them?—"Secretary's Office, Toronto, 7th March 1857.—Sir, I have the honour, by command of his Excellency the Governor-general, to instruct you to proceed without delay to London, and when there to place yourself at once in communication with, and at the disposal of the Hon. Mr. Draper, in connexion with his mission respecting the Hudson's Bay territory. It will be your business to render such assistance to Mr. Draper in the important mission with which he is charged, as from your researches on the subject, or from other causes, you may be able to afford. You will deliver to Mr. Draper the accompanying copies of the report of the Commissioner of Crown Lands on the subject of the Company's claim to the territory in question.—I have, &c. T. Lee Terrill, Secretary."

4458. In your official capacity, or personally, has your attention been especially directed to the subjects which are now the matter of inquiry before this Committee?—For the last 10 months I have been corresponding with various persons who have a knowledge of the territory, under the direction of Mr. Vancoughnet, the President of the Executive Council, and in consequence I have obtained some knowledge of the territory.

4459. Are there any statements with regard to any of the questions which have been brought before this Committee which you are desirous of making?—I have drawn up some memoranda upon the territory, obtained from various sources.

4460. Have you yourself ever travelled over the territories of the Hudson's Bay Company?—No; I have never been there. I have been in communication

tion with a great many men who have been there, and I have some statements from them; for instance, there is Mr. Gladman, who has been in the service of the Company for a great many years. I have a statement from him here.

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4461. Lord Stanley.] Does your office place you in any official connexion with the affairs of the Hudson's Bay Company?—No, it does not; at least my present appointment does. I have been employed specially upon these matters.

4462. Mr. Grogan.] You were specially deputed to make inquiries into this question?—Yes.

4463. And the information which you state you have in those papers is the result of those inquiries?—Yes.

4464. Chairman.] What is the first point on which you are desirous of making any statement to the Committee?—I believe the territory to be much more valuable than it has been represented; in minerals, for instance. I have collected from the journals of all the expeditions that have been through the territory a statement with regard to all the mineral specimens which have been obtained in the territory, which statement I have here.

4465. Will you state, generally, what you believe the mineral riches of the territory of the Hudson's Bay Company to be?—There seem to be very valuable copper-mines there.

4466. Where?—On the Copper-mine River, and there is very valuable malachite there, obtained from these copper-mines. I find that some doors made of malachite sold at the Great Exhibition here for 6,000 l.

4467. Lord Stanley.] From what part of the territory does the malachite come?—From the Copper-mine River.

4468. From what part of the Copper-mine River?—From the northern part.

4469. From the shores of the Arctic Ocean?—Yes.

4470. Chairman.] Have those mines been worked to any extent?—They have not been worked at all yet.

4471. Mr. Grogan.] Did you state that some of that malachite had been sold here at the Exhibition?—Not that malachite, but malachite from Siberia; it only shows the value of the material.

4472. Mr. Christy.] Will you tell the Committee what the feeling in Canada is with respect to the Hudson's Bay Company?—I think it is adverse to the Company generally. Mr. Vancouvernet stated at a public meeting, last September, that he sought a boundary for Canada on the Pacific Ocean, and that no charter could give to a body of men control over half a continent, and that he would not rest until that charter was abolished. That has been echoed throughout the province by the press, and by public men of all degrees.

4473. Mr. Grogan.] Does that gentleman hold any official situation?—He is the President of the Executive Council.

4474. Lord Stanley.] You say that that is the general feeling throughout the province?—Certainly.

4475. Do you mean by that to say that the local Government of Canada would be prepared to take upon itself the expense and responsibility of governing the entire territory of the Hudson's Bay Company to the Pacific?—I cannot say whether they are prepared; they seem to think that the territory ought to be attached to Canada, or that it belongs to Canada.

4476. Mr. Christy.] Do the provincial authorities participate in that opinion?—I have some extracts from a report of the Commissioner of Crown Lands, in which he speaks upon the subject. This has been presented to the Provincial Parliament.

4477. Mr. Edward Ellice.] Is that the whole document?—No, it is not.

4478. We should like the whole document put in?—I have not the whole document.

4479. Chairman.] Have you the official document at home?—No; these extracts were sent me by my brother, who happens to be in that department; we have been expecting the whole document, but it has not arrived.

4480. Mr. Edward Ellice.] It has been published, I believe?—It has; I can state what are the opinions of the Commissioner.

4481. Mr. Grogan.] Is the passage which is extracted the whole of the document which refers to this particular subject?—I believe it is; it has been sent to me as such.

4482. Mr. Edward Ellice.] What is the official document from which that

*A. R. Roche, Esq.* is extracted?—A report of the Commissioner of Crown Lands upon matters appertaining to his department, which has just been laid before Parliament in Canada.

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4483. Is there not a report of that description which is upon the boundary between the Hudson's Bay Company's territory and Canada?—There is a report upon that subject, but that is quite distinct; that has nothing to do with it. He states here that public attention has been much attracted to the Saskatchewan country, and he says, "We may ere long have to take action for its development."

4484. *Mr. Grogan.*] Will you give the substance of the official part of the document without any comments whatever?—He says that public attention has been attracted to the Saskatchewan, and in that direction; and that in consequence of that he thinks that before long the Government may have occasion to take action with regard to it. He also speaks of all the lands in the Western Peninsula of Canada having been disposed of, and that he finds many people in Canada prefer going to the prairies of the Western States to going through the labour of clearing the forest; he therefore thinks that the prairies of the Saskatchewan, the Red River, and the Assiniboine, will offer greater inducements for settlement than the lands which remain in Canada.

4485. *Mr. Edward Ellice.*] What do you call the Western Peninsula of Canada?—The peninsula surrounded by the Lakes Ontario, Erie, and Huron.

4486. *Chairman.*] You state that you believe the general public opinion in Canada to be in favour of taking in the whole of the territory now governed by the Hudson's Bay Company, as far as the Pacific; take Vancouver's Island, for instance; do you believe that it is the feeling of the people of Canada that it would be desirable to annex Vancouver's Island to Canada, and govern it as a part of the colony?—I do not think that that is very important; they certainly speak of the territory as far as the Pacific.

4487. Take the territory immediately opposite Vancouver's Island, for instance, which is supposed to be very capable of cultivation and settlement; do you believe that it would be practicable, or desirable, that at the distance at which that territory is from Canada, it should be part of the province of Canada, and be governed by Canada?—I think it is not at all important whether it should be attached to Canada or not, as far as Canada is concerned, so that it should be developed in some way; so that it should be formed into a colony.

4488. Am I to understand you, that you think the feeling in Canada is in favour of the progressive settlement of all that part of British North America which is fit for settlement, as being of great importance to Canada, but not the actual annexation of the whole of that territory to Canada as a colony?—I do not think that it is important that it should be all annexed to Canada, so that it is settled in some way; so that its resources should be turned to account.

4489. Supposing there was a considerable settlement on the shores of the Pacific, do you not think that it would be impossible to give the inhabitants a participation in the free institutions which are now happily enjoyed by Canada, on account of the geographical difficulty of their sending members to the Provincial Parliament?—That would be a difficulty certainly.

4490. Would it not be an impossibility?—Unless we had the Pacific Railway which is contemplated.

4491. *Lord Stanley.*] What I suppose you want is power for emigration to extend itself westward?—Yes, that is one great object.

4492. And for the present you are not much concerned with anything that lies westward of the Rocky Mountains?—No, I do not think we are; at least I do not myself think that it is of great importance, although in the Minute of Council, I think, under which Chief Justice Draper was appointed, it was stated that the people of Canada considered that their authority should go to the shores of the Pacific.

4493. Do you mean by that that they considered that they had a right to its extension so far, or that they considered that right as one of practical importance? That they had a right. The Order in Council, I think, states so; that the people in Canada consider that they have a right to the territory as far as the Pacific. For instance, that territory was discovered by Sir Alexander Mackenzie; he was the first man who penetrated there, and he was a Canadian.

4494. *Chairman.*]

4494. *Chairman.*] Those are legal questions?—Yes; I suppose, they would be. *A. R. Roche, Esq.*

4495. *Mr. Grogan.*] You were speaking about the Canadians thinking that they had a right as far as the Pacific; do you understand their opinion to be that they possess the rights of the old French Canadians, who had the right to travel and trade through that country?—Yes.

4496. Is that the sense in which you mean that they had the right?—Yes; that is the sense in which it is understood in Canada.

4497. When you speak of the desire of the Canadians to see that country settled and developed, do you understand it to be with a view to defining the boundary between the United States and that part of America?—Partly, I think.

4498. What is the other object?—That a great many of the available lands are taken up in Canada; most of the lands now for disposal are far back; they are up the Ottawa.

4499. Then it is with a view of colonisation and of settling the country?—Yes.

4500. How could that be done if there were no roads of easy access to it?—They would make roads.

4501. *Lord Stanley.*] Do you speak of the lands up the Ottawa Valley being occupied to a considerable extent?—To some extent.

4502. Do you know how far the settlement has actually proceeded up that valley, beginning from By Town and going westward?—I suppose 100 miles up; there are about 100 miles of farms here and there.

4503. Do you mean that the greater part of the land is occupied?—The whole of it is not taken up; there are farms here and there; but then that land is very difficult to clear; the trees are very large there.

4504. Is it not a fact that only a few years ago there were merely a few scattered settlements, and very small settlements, here and there over all that vast extent of country which lies between By Town on the Ottawa and Lake Huron?—Yes, I believe so; but settlement there has been advancing very rapidly since that.

4505. *Mr. Charles Fitzwilliam.*] What is the rate at which settlement advances; what number of miles does settlement advance in a year?—It is very difficult to answer that exactly by miles.

4506. *Mr. Grogan.*] Did I rightly understand you to say that the Canadians were desirous of having the opportunity of making settlements along this part of the Hudson's Bay territory, in consequence of the people preferring to go there rather than to settle in the Ottawa district?—Yes; Mr. Cauchon gives that in his report; he says that they can cultivate the prairies much more easily than they can the forest land.

4507. Is it found practically by the Government of Canada that the people prefer trying the prairies to undertaking the land where the large trees grow?—Yes, I believe so.

4508. *Viscount Goderich.*] You refer to the United States territory?—They prefer going there now; but he wishes to direct them to the Saskatchewan instead of sending them to the United States; he wishes to prevent such persons in future from being lost to the province.

4509. *Mr. Christy.*] When you speak of Canada being inimical to the Hudson's Bay Company, what is the reason why they are so, do you suppose; I am speaking, not as a question of territory, but as a question of the population, the general feeling; what is their objection to the Company?—They think that they oppose settlement; that they oppose the development of the resources of the country; and they look upon them as a foreign body monopolising an immense territory, keeping it in a state of nature, when it has many resources which might be developed.

4510. Do you think that the people generally in Canada desire to see the Company abolished?—I do.

4511. *Chairman.*] Would they wish to see the trade with the Indians thrown open to everybody without the least reserve?—I think the people generally would.

4512. Have you at all considered what the results of that would probably be upon the Indian population and upon the fur trade?—I think the Indians would get articles much cheaper than they do at present.

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4513. Have you made yourself at all acquainted with the history of that country during the time when there was a system of competition carried on for the fur trade?—Yes.

4514. There was a great deal of confusion in the country in consequence of spirits being very extensively introduced, I believe, by those parties competing against one another for the furs?—Yes, that was the case; but then spirits are still introduced, I understand; that is the system even now in some portions of the territory.

4515. What do you imagine would be the effect of an unlimited introduction of spirits?—I think the effect would be very bad, certainly.

4516. How would you propose to guard against that in the event of an unlimited competition in trade?—I would prohibit the introduction of spirits altogether; I would not even allow white persons to use spirits in the territory.

4517. It is difficult enough, I believe, to enforce that law in densely peopled countries; how could you possibly enforce a temperance law of that description through the immense territories which are now occupied by the Hudson's Bay Company, with such a frontier as they have?—It would certainly be difficult. I understand that the Americans do not use spirits now in their Indian trade.

4518. Do you know the recent history of the relations between the Indians and the white population in the American territory?—Yes, I have made inquiries into it.

4519. Are you aware that there have been scenes of the most dreadful description in the way of mutual bloodshed and destruction between the whites and the Indians?—In the Oregon territory; but I do not think that those scenes have taken place towards the east, not on this side of the Rocky Mountains, I think; not recently. I sometimes receive newspapers from Minnesota, and I do not see any mention made there of wars among the Indians.

4520. I fancy that in Minnesota the white men are in great force, and the Indians are comparatively impotent?—No; they say that the Chippewas there are numerous, and that they are increasing in number.

4521. Lord *Stanley*.] You spoke of the restrictions upon the sale of spirits to Indians under the laws of the Company; would it be possible, in your judgment, under that Company, or under any government, to enforce laws of that sort if a white population became numerous there?—I think it would be difficult.

4522. In short, the continuance of restrictive laws of that kind depends upon the country remaining comparatively unsettled by a white population?—I think it depends a great deal upon the people themselves.

4523. Therefore if the Indian population is to be preserved from temptations of that kind, it can only be done by keeping the white population comparatively limited; that is to say, by rendering the territory useless for purposes of colonisation?—I find that there are many tribes in the United States which are increasing now, which are in contact with white persons; Bancroft mentions several; he mentions the Cherokees, the Choktaws, the Creeks, and the Winnebagoes.

4524. Mr. *Charles Fitzwilliam*.] You have been asked about what effect liquor has upon the Indians; can you give the Committee any idea what effect has been produced by liquor among the Indians in Canada?—It has been very injurious to them.

4525. Is liquor extensively used among them?—I am not aware that it is at present. I am told that the Indians on the Grand River, who are settled there as farmers, are increasing in number, and as a proof that they are doing well, I may instance that they gave 100 £. sterling to the Patriotic Fund.

4526. Where is the Grand River?—It is in Upper Canada; it runs into Lake Erie.

4527. Mr. *Grogan*.] Are the Indians in Canada, in point of fact, increasing or decreasing in number?—I am told that they are increasing there, and at the Credit; that is near Toronto, where they are settled; they have funded property.

4528. Do you speak of your own knowledge as to their state of comfort and clothing?—I speak from inquiries which I made at the Indian Department.

4529. What is the result of your information?—They say that they are rather increasing in intelligence, in wealth, and even in number.

4530. That

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4530. That they are becoming settled agriculturists?—Yes.

4531. I need not ask you whether there is any limitation to intercourse between them and the white people?—There is no limitation.

4532. There is no restriction upon the introduction of any quantity of spirits which the white people think right to send in there?—There is a law in Canada, certainly, against selling liquor to the Indians.

4533. Have you heard of any people being punished for infractions of that law?—No, I have not.

4534. Is it supposed in the country generally that that law is observed or is violated?—I have not heard of any instances of its being violated, although I dare say it is violated in some instances; of course it must be.

4535. Do you infer then that if the Canadians were allowed to colonise and make settlements along this portion of the Hudson's Bay territories, the same rule would prevail in the communication between the white people and the Indians as prevails between the white people and the Indians in Canada; is that your impression?—Yes, that is my impression.

4536. Mr. *Edward Ellice*.] Does the fur trade exist in Canada?—Yes, to a certain extent; the Hudson's Bay Company have posts in Canada.

4537. With respect to those Indians of whom you were speaking of just now, who are in the habit of being in the society of white men in Canada, is any fur trade carried on by them, or with them?—None.

4538. Therefore there is no occasion for any trade in spirits?—No; but they are so well off that they could purchase any quantity of spirits.

4539. Do you not look upon the Indians near Montreal, for instance, as a very demoralised race?—I believe there they have not done so well as they have at the Grand River, or at the Credit, although I have not been among them.

4540. You just now said that you would prevent the sale, or the consumption of spirits altogether, if the territory was added to Canada, and Canada had the rule over it; what is your reason for saying so; why would you put an end to it?—For the sake of the Indians.

4541. Why for the sake of the Indians; do you think that it would have a deteriorating influence upon the Indians?—Certainly; at least I think that spirits would have that effect if they could procure them.

4542. Mr. *Christy*.] The Chairman asked you, with reference to wars amongst the white and red races in the territory of the United States; are you aware of wars amongst the Indians themselves in the territory of the United States?—No, I am not.

4543. Have you heard of any wars in the territory of the Hudson's Bay Company amongst the Indians?—Yes. In 1849 Lieutenant Hooper, who wintered at Bear Lake, came round from Point Barrow; he relates a case of a number of Esquimaux being killed by a party of Loucheux Indians, led on by a white man in the Hudson's Bay Company's employment; it occurred on the Mackenzie.

4544. You have stated a good deal of what you gathered from information which is published. Within your own knowledge, or in the course of your own researches under the Canadian Government, have you discovered any instances in which the Indians have been oppressed at all by the Hudson's Bay Company?—I have seen merely statements of some of their officers in their published works. I have a paper which I have received from Mr. Vancoughnet, the President of the Council in Canada, from Red River direct, containing statistics of the colony, drawn up in March last, by one of the inhabitants there.

4545. Mr. *Grogan*.] How did that paper come into your possession?—It was sent to me direct by Mr. Vancoughnet, the President of the Executive Council; I suppose it is for Mr. Draper.

4546. *Chairman*.] What is the paper?—It is Statistics of the Red River Colony, drawn up by a Mr. Gunn there. I spoke to the Bishop of Rupert's Land about Mr. Gunn, and he says that he is a very respectable man.

4547. Mr. *Edward Ellice*.] Just let me see that paper. (*The same was handed to the Honourable Member.*) This is a letter to Mr. Vancoughnet, dated in March; from whom?—From Mr. Gunn.

[The Witness was directed to withdraw.]

The Witness was again called in.

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4548. *Chairman.*] The Committee wish that paper to be put in? (*The Witness delivered in the same.*)—I have a copy of a petition from the Red River, which has been presented to the Parliament in Canada.

4549. *Mr. Christy.*] What is the nature of the petition which you have from the Red River?—It is stating certain grievances, and asking to be annexed to the Canadian territory.

4550. I should rather have asked you to whom it is addressed?—It is addressed to the Parliament of Canada; one petition to the Upper House, and one to the Lower House, in the usual form.

4551. What is the date of it?—In April of this year.

4552. By whom is it signed?—I have not the signatures here; but it is signed by, I believe, about 600.

4553. Persons resident at Red River?—Persons resident at Red River.

4554. *Chairman.*] All males?—Yes.

4555. *Mr. Christy.*] Just describe to the Committee what the nature of the petition is?—It states certain grievances; it gives a history of the settlement. The petitioners say that they have invested large sums of money in payment for land to the Hudson's Bay Company, and that they cannot get any deeds for the same; that is one complaint. They say that the Company's agents have endeavoured to force deeds upon them to which they object, which would subject them to become slaves to that body. Then they believe the charter of the Company not to be legal, and so forth. They say that on their annual journeys into Minnesota they have been pursued like felons by armed constables; that they have been searched, and their property taken from them and confiscated.

4556. Do they speak generally with regard to their property, or describe what particular property has been taken from them?—"They searched our property, even by breaking open our trunks, and all furs found were confiscated." Furs they speak of. Then they complain that "the valuable commercial productions of the country are exported for the exclusive benefit of a company of traders, who are strangers to ourselves and to our country." They also complain of being obliged to import everything through the Company, and then they speak of the rule of the Company paralysing the whole of their energies, and therefore they wish to be attached to Canada. They say that they have appealed to the Imperial authorities without effect, and therefore they petition the Parliament of Canada.

4557. Do they give any date at which they appealed to the Imperial Legislature?—No, they do not. They say, "We have represented our grievances to the Imperial Government."

4558. *Viscount Goderich.*] Do you know whether any notice has been taken, or whether any proceedings have been taken with regard to that petition by the Colonial Legislature?—It has only just been presented there. There has been a committee appointed there to inquire into the whole matter. That committee is now sitting.

4559. To inquire into the allegations of that petition?—No, not into the allegations of that petition. It is a committee somewhat similar to this, to inquire into the rights of Canada to the territory, and the rights of the Company under their charter. In fact, the inquiry is a very wide one there; much wider than this.

4560. *Chairman.*] When is that committee likely to report?—Very shortly, because the Legislature is not likely to sit long. The committee was appointed on the motion of Mr. Terrill, the provincial secretary.

4561. *Mr. Edward Ellice.*] Is that a committee appointed to inquire into the validity of the Company's charter?—Yes; that is one of their objects. This petition was presented to the Upper House by Mr. Vancoughnet, and in the Lower House it was presented by Mr. Macbeth, a native of the Red River Settlement.

4562. *Mr. Christy.*] Does that petition say that the parties signing it petitioned the Crown, or the Imperial Legislature; what are the words in which it expresses itself?—It says, "We have represented our grievances to the Imperial Government;" they do not make the distinction.

4563. Do you know whether the practice has been to transmit any grievance to

to the Crown, to the Government of this country, and not to the Imperial Legislature?—Do you mean from Canada, or from the Red River? A. R. Roche, Esq.

4564. From the Red River; not from Canada?—Yes, I think they appealed to the Colonial Office in 1849. 9 June 1857.

4565. Mr. *Edward Ellice*.] Do you know under what authority the Colonial Legislature assume the power of inquiring into charters granted by the Imperial Government, in territories not belonging to Canada?—I do not know that it is any authority which they assume; they inquire into it with the object of ascertaining whether this charter does conflict with any rights which they may have.

Captain *David Herd*, called in; and Examined.

4566. *Chairman*.] I BELIEVE you have, as the captain of a merchant ship, been connected with the Hudson's Bay Company?—I have. Captain D. Herd.

4567. How long have you been so connected?—For the last 23 years.

4568. What has been the nature of that connexion?—I was an officer of one of their ships for three years; and I think I have commanded one of them now 18 or 19 years.

4569. What has been the nature of the trade conducted by those ships?—I merely take the ship backwards and forwards; they put on board whatever they have to put on board, and I take it.

4570. To Hudson's Bay?—To Hudson's Bay; York Fort.

4571. Mr. *Edward Ellice*.] What are the capabilities of the Hudson's Bay, with regard to whaling?—I have been going there for the last 22 years, and have never seen a whale but once; that was last year; I saw one whale; I have seen what are commonly called whales, but they are porpoises.

4572. Assuming that there were whales there, is the state of the sea, with regard to ice, such that whaling could be carried on in it?—No, I do not believe that it could; I do not believe that whales will ever go amongst ice myself.

4573. For how many months in a year is that bay closed to shipping by ice?—I should think it is open only from six weeks to two months in the year.

4574. And during the rest of the year it is not navigable?—It is not navigable. We generally arrive there about the 10th or 15th of August, and get away again about the 15th or 20th of September.

4575. And if you do not get away as soon as that, you are liable to be kept there the whole winter?—Yes. I have known 13, 14, 15, 16, and even 20 degrees of frost when we have been coming away on the 25th of September.

4576. And you are often delayed on your passage out by the ice in the Straits, are you not?—Sometimes we go through the Straits in four days, and at other times we are five weeks.

4577. That is in the beginning of August?—Yes.

4578. In fact, you do not believe, first of all, that there are fish, and in the next place, if there were fish, that it would be possible to catch them?—I believe that to be the case.

4579. Mr. *Christy*.] Have you ever seen seals on your passage through the Straits?—Very few indeed; I have seen seals.

4580. *Chairman*.] Are there no fisheries of any value in those seas?—None that I have ever seen.

4581. Mr. *Christy*.] Do you ever trade with the Esquimaux?—Yes, we sometimes trade with them; perhaps, upon an average, once in every fourth year or so.

4582. What do you get from the Esquimaux?—We get some walrus tusks, and perhaps a horn or two of the narwal; those are the only things that we get; we very rarely get any skins.

4583. Do you get any seal skins?—We do get seal skins sometimes; but very few.

4584. What number do you get?—The most that I have ever got did not amount to more than eight or nine altogether.

4585. Have the Hudson's Bay Company, to your knowledge, ever sent out any steam vessel?—Never since I have been connected with the service; in



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fact; if my opinion were asked, I do not think that a steamer would do at all amongst ice to force a passage.

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4586. Are you aware that in the recent Arctic Expeditions steam vessels were used for navigation, and that their superiority was established in seas encumbered by ice?—I am aware that steam ships have gone out connected with Sir John Franklin's expedition; but I am not at all aware how they did amongst the ice: I have merely commanded a sailing ship; I know nothing at all about a steamer. If I were asked for my experience, I should prefer a sailing ship, amongst ice, to a steamer.

4587. You say that you know nothing about a steamer?—I know nothing about a steamer.

4588. But you have given an opinion that a steamer is not suited for navigating those seas encumbered by ice?—Not to force a passage through ice.

4589. You are not aware of what took place in the Arctic Expedition with steamers?—No, I am not.

4590. Mr. *Edward Ellice*.] Are not your own ships obliged to be doubled, fortified?—They are fortified with ice chocks forward.

4591. That means doubling and trebling the thickness of the bow?—Yes; the ice chocks are brought out flush with the stem.

4592. Mr. *Christy*.] Do not you think that if you were provided with a screw steamer it would make, at all events, the passage in a much quicker time?—It would entirely depend upon the state of the Straits. Sometimes we are six weeks going through the Straits, and cannot see so much open water as to turn a boat round; in other years we go through and see comparatively little ice; but upon the average we have sailed something like 800 to 1,000 miles through ice, all the years that I have been in the service.

4593. Am I to understand that you think there would be no facility if the Company were to employ steamers?—I could not offer an opinion about it.

4594. Mr. *Edward Ellice*.] Steamers would have to go through the same ice that a sailing ship has?—Yes.

4595. Mr. *Christy*.] Do not you think that you would be enabled to leave London later than you now do, and to reach York Factory sufficiently early with a steam vessel to be able to make the voyage there and back again during the open season?—I do not think it. I did not get out of the ice in 1854 until the 4th of September, and then we were close down to York.

4596. Mr. *Edward Ellice*.] You had ice all through August?—Yes; we just got into the outer roads and the ice was outside of us.

4597. Mr. *Christy*.] What do you consider the actual distance traversed from London to Hudson's Bay?—We calculate it to be about 3,500 miles.

4598. Do you consider that it is further than to Montreal?—Yes, I should say so; and it is a more intricate navigation altogether. The Straits and the ice cause a detention.

4599. What is the value of your average cargo?—I cannot say. I only command the ship. I take in what they give me, and I bring it home here. I do not understand their accounts at all. I know nothing about the country. I am very glad to get there, and very glad to leave it again.

4600. What is your tonnage?—The vessel is 524 tons.

4601. Do you know how much you are insured for?—That I cannot state.

4602. Have you anything to do with the rates of insurance?—No, I have nothing at all to do with it. I never see the policies at all.

4603. *Chairman*.] Was any vessel ever lost in your trade?—There was a chartered ship lost in 1849, a ship called the "The Graham."

4604. Mr. *Edward Ellice*.] That was not one of the Company's ships?—No.

4605. Mr. *Christy*.] They have been sometimes frozen up, I believe?—They have been frozen up previously to my entering the service, not since I have belonged to the service. We once had to return with an outward-bound cargo on board in 1836, from the detention by the ice.

4606. *Chairman*.] Has the climate at all altered, in your opinion, since you have known those seas?—No, it is about the same; the thermometer is about the same by the register which they keep at York.

4607. Mr. *Christy*.] Can you tell the Committee what your cargo usually consists of?—It is furs principally, and oil.

4608. That is your home cargo?—Yes.

4609. What

4609. What else?—We have about 200 tons of stone ballast; we take in stone ballast at York; that is to get the vessel stiff. Captain D. Herd.

4610. Mr. *Edward Ellice*.] In consequence of the lightness of the goods?— 9 June 1857.  
Yes.

4611. Mr. *Christy*.] What other goods do you bring back generally?—All sorts of skins and oil; those are the only things I know of; I believe there is a little isinglass, and some buffalo tongues.

4612. Are those goods consigned wholly to the Company?—They are entirely consigned to them, and they are all packed, and put on board our ship.

4613. Do you bring any articles for private individuals?—Yes, in the way of presents; there are very often presents; there may be presents of furs.

4614. But you do not know that you bring any cargo for private individuals?—No consignment of cargo; it is all consigned to the Governor and Company of the Hudson's Bay.

4615. Mr. *Kinnaird*.] Are you forbidden to carry a cargo for anybody else?—No, I never received any orders at all on the subject.

4616. To accommodate anybody, if there was room in your ship, you would give facilities for anything being shipped at York, and would bring it home?—If they brought me an order from the officer at York to receive it on board, I would take it in.

4617. Viscount *Goderich*.] Then it would require such an order as that; you would not take it without?—I cannot say; there has never been such a thing; we have taken a cargo on board of presents.

4618. Mr. *Christy*.] You speak of presents; that I can quite understand; but I understand you to say that you are not aware that you bring any cargo, if I may use such a term, for merchants, or for any persons in that country whose goods they are, exclusive of the Company, and who themselves possess the value of the goods; you do not know that?—I do not know it.

4619. Is your home cargo more bulky than your outward cargo?—No; the home cargo is not nearly so bulky as the outward cargo, generally speaking. One year it may be rather more bulky than in others; but it is not so bulky, generally speaking, as the outward cargo.

4620. What does your outward cargo generally consist of?—It is principally supplies for the country; tea and sugar, and manufactured goods, cloths and blankets, and a general cargo; the common necessities of life.

4621. Have you any knowledge of the value of that cargo?—No, I have not.

4622. You have nothing to do with the insurance?—I have nothing at all to do with it.

4623. Is your ship generally full (I am speaking now of an average of years) which comes from York Factory?—No; this ship which is now sent is seven years old. She is, perhaps, what you would call full, but sailors would not call her full, perhaps, once out of those seven years. Of course it greatly depends upon how you stow a ship; you can fill her as you like.

4624. Did it ever occur to you that a traffic might be had in tallow, or any other produce of that country, for instance, from the Red River, which you might bring home if your ship were not full; heavy goods which you might use instead of the ballast which you have told us you are compelled to use?—I have not given that point much consideration; but I have always understood that there was such a difficulty in getting tallow from Red River, that it was not to be had; that they could not get enough to supply themselves at Red River, let alone sending it away.

4625. Then you have never had any applications, to your knowledge, which have been refused?—Never.

4626. Do you understand my question?—I do, perfectly.

4627. Describe my question?—Supposing you to be a merchant at York, you have never applied to me; no merchants at York, except the Hudson's Bay Company's factors, ever put cargo on board the ship, or ever applied to me to put cargo on board the ship.

4628. You have not heard that applications have been made to bring home produce in the Company's ships which have been refused?—No, I never have.

4629. Mr. *Charles Fitzwilliam*.] You mentioned that you brought home oil  
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in the ship; in what quantities do you bring it home?—It never exceeds 20 puncheons.

4630. Do you imagine that that is all the oil which could possibly be collected in the Hudson's Bay?—That is all that I collected upon the west side of the bay.

4631. Do you imagine that that is all the oil which could possibly be collected in the Hudson's Bay?—I cannot say. I only know about that part to which I have been going. I cannot say what there is on the east side. I have never been on the east side.

4632. Do any other ships trade to the Hudson's Bay?—No.

4633. Any to Moose Fort?—One ship goes down to Moose.

4634. Two ships then go to the Hudson's Bay?—Two ships go to the bay, and a chartered ship occasionally, making three.

4635. Is there in each ship, do you imagine, a quantity of oil brought home?—I think there was some oil brought from Moose last year, but I cannot speak positively about it.

4636. Have you ever been to Moose yourself?—No; but whether it was caught at Moose or at Whale River, I cannot say.

4637. Where is Whale River?—That is upon the east side of the bay.

4638. Why is it called Whale River?—They are white porpoises, in fact, but they are commonly called whales in the country.

4639. Do they abound?—No; I have seen very few of them all the years that I have been going there, not sufficient to pay for an establishment, I believe.

4640. Mr. Christy.] Are not porpoises, where they abound, very valuable for purposes of oil?—I cannot answer that question, I never had anything to do with them.

4641. And also for their skins?—I cannot say.

4642. Viscount Goderich.] Did I rightly understand you to say, that you did not think that any greater facilities would arise from the use of steamers in that sea than from the use of sailing vessels?—If my opinion were to be given, I should say decidedly not; they might succeed very well in one year, but taking the average of years, I think myself that a sailing vessel is far preferable.

4643. Has not the experience of the Arctic Expeditions rather a contrary tendency?—The Arctic Expeditions were carried to a certain distance; but we must get to the other side, and get back again in time before the season sets in. If we met with any accident to our machinery where could we go to get it repaired; we should lose our voyage.

4644. On the other hand, would not a steamer, being quicker, enable you to go there and back again in less time?—It would entirely depend upon the state of the ice.

4645. Mr. Christy.] It would be, of course, during the open season?—In an open season of course that would be so, if you could depend upon the Straits being entirely clear of ice; but that would be an exception to the general rule.

4646. I refer to the season from the 10th of August to the 20th of September?—I have been as late in Hudson's Straits as the 25th of August, beset amongst ice; it has been the 25th of August before I have got out of the ice going out, before I have got out of the Straits; then, when I have been coming home again, I have been in the ice 17 days, and even three weeks.

4647. Mr. Kinnaird.] Did you ever know of any vessel coming into the bay, or calling at York Factory on her own account?—Never, I was in company with Sir George Back when he went out in the "Terror;" he wintered there in 1836.

4648. I meant for trading purposes?—No.

4649. Mr. Christy.] I suppose you really know nothing of the country in any way except the sea voyage from London?—That is all I do know; the appearance of the country is so unfavourable that I never go out of my ship when I am there; I am glad to get there, and glad to get away again.

4650. You are always very far north?—We are in 57° at York, and 92° west.

Mr. John Miles, called in; and Examined.

Mr. J. Miles.

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4651. *Chairman.*] ARE you acquainted with Vancouver's Island?—Yes; I went to Vancouver's Island in 1852; that was the first visit I made there, and on my return from crossing the mountains I was there in 1854.

4652. What were your inducements for going there?—On the Company's business; inspecting the accounts of the Company.

4653. You went there as a servant of the Hudson's Bay Company?—Yes.

4654. What opinion did you form of the soil and climate of that country?—Its soil is very good and very rich, and the climate is, I think, superior to that of England.

4655. It is very well covered with timber, I believe?—Yes; some parts of it.

4656. Did you go much about it?—No; I only went about 15 miles north of Victoria, across to the Sannitch Inlet.

4657. Do you believe the coal mines to be valuable?—I think they are very valuable; I did not go to the coal mines.

4658. With regard to the fisheries, do you think that they are likely to be very productive?—They will be in course of time, when you begin to know how to fish there; but at present they are not much used, excepting the salmon and herring round the island by the Indians themselves.

4659. The progress of settlement in Vancouver's Island has been very slow, I believe?—Very slow.

4660. To what do you attribute that circumstance?—To the great distance from England, and to the nearness of the gold fields in California. Men that we have taken out there, especially miners, have made their escape and gone away there in defiance of contracts.

4661. But do you think that the island possesses sufficient attractions to render it probable that it will ultimately become a considerable settlement?—There is every necessary in the island itself for its becoming one of the finest colonies in the world, I should imagine. It has got wood, coal, good land, and iron; the fisheries are good round about it; the position is good, and the climate is good.

4662. The situation of the harbour is very favourable, is it not?—Yes, of Esquimaux Harbour; Victoria Harbour is small.

4663. Mr. Kinnaird.] How long did you say you were there?—I was six months on my last visit there.

4664. You have been more than once?—I was there a fortnight, only the first time, in 1852.

4665. *Chairman.*] Do you know the country on the main land, adjoining Vancouver's Island, at all; Fraser's River?—No, I have never been in Fraser's River; I crossed from Nisqually.

4666. Did you ever get any reliable information while you were there of what was the general character of the soil and climate of that country?—Yes, I saw several gentlemen who were intimately acquainted with the country, and had lived there for years. The climate round Thompson's River seems to be very good; the timber is very good there.

4667. I suppose it bears a considerable resemblance in those respects to Vancouver's Island itself?—I do not think that the soil is so good. If it is to be judged of by the soil south of it in Oregon, through which I passed, it is certainly not so good as that in Vancouver's Island.

4668. Mr. Charles Fitzwilliam.] I believe you went by sea, in the first instance, to Vancouver's Island. In returning you went up the Columbia River, I believe, by the common route to York?—Yes, I went up the Columbia River, crossing the Rocky Mountains between Mount Hooker and Mount Brown.

4669. North of the boundary, where the boundary line crosses the Columbia River, will you give us some description of the nature of the country?—It is a woody country, not very fertile, and rather mountainous; the grass is scant, but apparently nutritious. The country at the back, I was informed, was studded with small prairies.

4670. Will you describe the country from Fort Colville to where you crossed the mountains?—From Fort Colville, or the north side of the Columbia River, seems to be a prairie country, something like near the Dals.

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4671. Producing good grass?—Yes, it is pretty good grass; nothing very valuable. Then as you approach the boundary, it is a timber country, and it is timbered all the way up to the Arrow Lake.

4672. What is the description of timber?—Some part of it is pine, and hard wood, elm and beech. After you get from the Arrow Lake you get into a mountainous region altogether, and there is a succession of mountain ridges almost the whole way up the Columbia, to the boat encampment.

4673. Mr. Kinnaird.] Do you do that on horseback?—No, in boats; we cross the Rocky Mountains on foot.

4674. Mr. Charles Fitzwilliam.] Of what height is the pass?—Mount Hooker is called 24,000 feet, I think; I am not sure. The pass is between it and Mount Brown.

4675. From there where do you cross: from the boat encampment, where is the point on the east side of the mountains at which you leave the mountains?—It is two days' level walk on the head waters of the Columbia before you reach the mountain itself which you cross; it is a good day's work to get up to the top of the mountain, and very hard work too; you sleep there; the next morning you descend the mountain, and I think we were three days before we got out of the mountain ridge altogether.

4676. Mr. Kinnaird.] Is there a sort of track?—Yes, there is a simple track; an Indian track.

4677. Mr. Charles Fitzwilliam.] When you have crossed to the east side of the mountains, will you describe what is the nature of that country?—Our route lay by Jasper's house, and down the Athabasca River, which runs into Slave Lake; the whole of that country is a flat country, producing nothing but pine and spruce, and timbers of that description; the country appears to be swampy.

4678. Does it produce grass?—There is some grass.

4679. It is not what you would call a grass country?—No, by no means; it produces more of the moss species altogether.

4680. From Jasper's House, what route did you take?—I went down the Athabasca River to Fort Assiniboine; from that place I went on horseback, and crossed over to Edmonton, on the Saskatchewan River, and went down through the Saskatchewan Valley to Lake Winnipeg, Norway House.

4681. Will you describe the country from Edmonton, down the north branch of the Saskatchewan River, to Norway House?—From Edmonton to Carlton was a succession of prairie lands, producing a scant grass, not at all a rich grass, excepting in gullies in the rivers, where the water courses run down. From near Carlton to Lake Winnipeg, to the Grand Rapid there, it is a wooded country the whole way.

4682. Do you know anything of the country back from the river?—I have not been there; I only know it from report, of course.

4683. Of course you descended the river in a boat?—Yes.

4684. At what time of year were you there?—We left the foot of the Rocky Mountains on the 1st of May; it was in May the first time that we were there, and August when we came back again.

4685. Was the country then completely free from snow; had all the snow disappeared?—Yes; all except on the Rocky Mountains. When we got to York there was snow and ice in plenty.

4686. But in the valley of the Saskatchewan how was it?—There was none in the valley of the Saskatchewan.

4687. Was there any appearance of snow having lain there to any great depth?—None but in the rise of the river; the river was very full of water; that would be the only criterion by which I could judge of the depth of snow.

4688. Can you tell us what opinion you formed as to depth?—They say that about the average depth of snow which falls in the prairies is four or five feet; at least that is what the hunters told me; men who were living there.

4689. What was their description of the climate generally?—That it was very cold in the winter, and in the summer season very hot, sultry. In fact, it must be very hot there in the summer season, because the grasses are all dried up.

4690. At what time?—When we passed there in August they were all dried up. When I returned I went to Edmonton from Carlton, nearly the whole way.

way, on horseback. We had sometimes difficulty in getting grass for the horses at night.

4691. *Chairman.*] Can you give the Committee any idea whether the country is good for settlement?—The prairies, I think, are not so productive as people imagine they are; there is no doubt that in the gullies, where the little streams run down into the Saskatchewan, and in some part of the Saskatchewan itself, it is very fertile.

4692. Do you know the Minesota country?—No. I have never been there.

4693. *Mr. Charles Fitzwilliam.*] Is there any cultivation on the northern branch of the Saskatchewan; any farming?—We have a small farm at Edmonton.

4694. What is produced there?—They tried to grow wheat; they put up a windmill first of all, and tried to grow wheat, and then they found that they could not grow it.

4695. Will barley grow there?—Yes, I think barley grows there.

4696. And oats?—Yes.

4697. Have they attempted to grow Indian corn?—No.

4698. Do cattle thrive well?—Very well; we have some cattle there. It is curious to say that the people will not eat them; they get so much buffalo meat that they will not eat our stall-fed animals.

4699. Are buffaloes very abundant in that part of the country?—Yes, the whole way through there.

4700. Giving evidence that the country is well adapted to support animal life?—Yes; there is no question of that, I should think.

4701. How many days were you in getting from the boat encampment to Jasper's House?—I think we were seven or eight. When I referred to getting out of the mountains I meant where we met our horses to take us to Jasper's House; we were two days after we met the horses, after we got out of the mountain passes, in getting to Jasper's House.

4702. Is there any other pass across the mountains besides that from the Boat Encampment to Jasper's House, north of the boundary line?—The only one is through the Peace River to the north. I never heard of any other.

4703. *Mr. Christy.*] Is the pass over the Rocky Mountains very precipitous and difficult?—Yes, very difficult. In returning over the mountains we were on horseback, and we were obliged to get off our horses; we could not sit on them.

4704. On which side is it the most precipitous?—On the west side.

4705. Did it appear to you that there would be any means of making a better communication between the east and the west sides for the purpose of getting over that ridge of mountains?—I saw nothing but difficulties anywhere excepting in the road itself, and there were quite enough there, certainly.

4706. Did you make any inquiry as to whether there was any better pass which could be resorted to?—I made no inquiry, because I thought that they would naturally take the best pass for crossing the mountains. I know that there is no pass until you come to the Kootanais pass, which is in the American territory.

4707. *Mr. Kinnaird.*] Is that very much lower in point of height?—Yes; I believe they cross there with waggons.

4708. Are there any beasts of burthen which ever pass over; do the Indians employ any beasts of burthen?—None but horses.

4709. You never heard of any crossing that part?—No.

Mr. J. Miles.

9 June 1857.

*Jovis, 11<sup>o</sup> die Junii, 1857.*

Mr. Blackburn.  
Mr. Christy.  
Mr. Edward Ellice.  
Mr. Charles Fitzwilliam.  
Viscount Goderich.  
Mr. Gregson.  
Mr. Grogan.

Mr. Percy Herbert.  
Mr. Kinnaird.  
Mr. Labouchere.  
Mr. Lowe.  
Mr. Matheson.  
Mr. Roebuck.  
Viscount Sandon.

THE RIGHT HON. HENRY LABOUCHERE, IN THE CHAIR.

Mr. John McLaughlin, called in ; and Examined.

Mr.  
J. McLaughlin.

11 June 1857.

4710. *Chairman.*] ARE you acquainted with the affairs of the Hudson's Bay Company?—Partially.

4711. What has led you to become acquainted with them?—I lived there for a number of years.

4712. In what capacity?—Not in any capacity connected with the Company; I was there partly as a settler, and partly I went there merely to see the country at first, but I remained there for some years.

4713. Where did you reside as a settler?—In the Red River Settlement.

4714. How many years were you there as a settler?—About five years, I think.

4715. Have you any property there still?—No property.

4716. You have no intention of returning to it?—No.

4717. Were you ever connected with the Hudson's Bay Company in any manner?—In no manner further than that I have done some little business for them.

4718. You were never in their service?—Never.

4719. Mr. *Gregson.*] What was your occupation there; an agricultural settler?—No; I have a relative there, an uncle, who has been there for some 30 or 40 years, and I was living with him when I went there.

4720. *Chairman.*] How many years ago was that?—I left in the latter part of 1849.

4721. Mr. *Christy.*] Did you ever possess any land or property while you were there?—Never, except goods.

4722. What was your chief occupation?—I traded there a little.

4723. In what?—In general goods.

4724. Will you give us a little more information as to the nature of the goods in which you traded?—I brought goods from the United States there, and traded them with the settlers or others.

4725. What were the kinds of goods?—The general description of trading goods which are required in an Indian country, or in fact anywhere.

4726. *Chairman.*] What articles were the principal part of your stock in a commerce of that kind?—Blankets and cottons; some ammunition, and tobacco.

4727. Mr. *Roebuck.*] Had you any spirits?—Never but once; I brought spirits once through the country, that is all.

4728. For what purpose; to trade with?—No; for private use.

4729. *Chairman.*] You never sold any spirits at all?—I cannot say that I have done so on my own account.

4730. Did you ever, on your own account, or on the account of anybody else, engage at all in the trade of spirits?—It is such a length of time back that a person has really to refresh his memory before he can possibly answer the question properly.

4731. You are not prepared to tell the Committee that you did not?—No, I am not.

4732. Mr.

4732. Mr. *Edward Ellice*.] Have you any knowledge of that document (*handing a Paper to the Witness*)?—Yes.

Mr.  
J. M'Laughlin.

4733. Was your name attached to it?—It was; it is rather bad French.

11 June 1857.

[*The same was read as follows:*]

AUX METIFS ET COLONS DE LA RIVIERE ROUGE.

IL vous écrit pour vous informer que votre cause dans ce pays-ci, fait des progrès et triomphe rapidement. J'étais vraiment surpris de trouver en arrivant ici combien elle avait universellement excité l'intérêt générale du peuple de la Grande Bretagne. Continuez hardiment et sans crainte dans votre présente attitude. Surtout n'ayez point recours à des moyens violens, mais soyez ferme et résolu de soutenir vos droits. Vous avez plein pouvoir comme repètent les Journeaux Anglais, et surtout Le Parlement Britannique, de faire, avec qui il vous plait le commerce dans toutes les productions de votre pays.

N'écoutez pas ces histoires ridicules que l'on vous racontera pour vous intimider. Vous avez Le Droit pour vous. Votre compatriote, M. Isbister, a intéressé des amis très puissans de ce côté-ci des mers, qui vous supporteront si vous vous montez dignes de l'intérêt qu'ils vous portent.

Courage! mes amis. En avant!!

Votre très sincère ami,

*John M'Laughlin.*

4734. Mr. *Roebuck*.] When was it that you put forth that very interesting document?—It was written in 1850.

4735. Had you heard that anybody interfered with the trade, because you tell the natives that they must sell the productions of their country to whom they please. Had you ever heard that anybody interfered with them?—For some years they were in opposition to the Hudson's Bay Company; they traded furs all throughout the country, and it was that in a measure which led to the disputes with the Hudson's Bay Company, and I dare say to the present commission of enquiry.

4736. Mr. *Edward Ellice*.] They trade in furs?—They trade in furs.

4737. Mr. *Roebuck*.] It led to disputes with whom?—Disputes between the Hudson's Bay Company and the settlers.

4738. Did the Hudson's Bay Company interfere with the Indians selling their peltries to the settlers?—Often.

4739. In what way?—In every possible way they could do it; by persecution and other means.

4740. How did they persecute?—By stopping their supplies on them.

4741. Supposing an Indian had come to you with his hands full of furs, would you have dared to buy them?—Certainly.

4742. And he would have dared to sell them?—He might not have dared to do it in the same way that I would have dared to have bought them.

4743. What would have been the consequence to him of selling them to you?—In some cases their furs have been seized and impounded; they have imprisoned the parties, or impounded the furs.

4744. Supposing they had passed from his hands to yours, would the Hudson's Bay Company then have seized them?—I dare say if they thought that they had the power to do so they would.

4745. Did you ever experience anything of that sort?—Not with myself, but I have known cases with others.

4746. Mr. *Grogan*.] Have you any cases of parties who were imprisoned for selling furs to settlers?—Yes, I have.

4747. Were those furs ever forfeited, or was the value of them given to the party who sold them?—In several cases they have received value, in other cases they have been impounded upon the plea of debt.

4748. Is this what you mean by the term "persecution," which you used a short time ago?—Yes.

4749. You said something about stopping their supplies: will you explain that?—The general means that an Indian has of living is by receiving a certain amount of debt, in the spring or fall of the year; and if they do not receive those supplies they must starve, unless they can get them from some settler or some other party.

4750. In point of fact, have you known any instance in which those supplies have been refused?—Yes, many instances.

4751. Have you ever known a case of starvation resulting from such refusal?

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—No,



Mr.  
J. M<sup>r</sup> Laughlin.

11 June 1857.

—No, I cannot exactly say that I have, but I know that that would be the consequence.

4752. Have you known any case of severe suffering among the Indians from the want of such supplies?—I have known that they have been thrown upon the community, unable to go out to their hunts.

4753. Is the impression general in the minds of the Indians, that in the event of their trafficking in furs with the settlers they will be subject to such privations?—Yes; therefore in selling the furs they have to smuggle them to the settlers, or to the parties who purchase.

4754. Does the system which you have just explained to us, as to the trafficking in furs between the Indian and the settler, apply to the trafficking in furs of the Indians and the half-breeds?—It applies to some.

4755. Is there any difficulty in the trafficking in furs between the Indians *inter se*?—There is a certain traffic, but it applies generally, to all parties; the Company strive to prevent it in every possible way, even amongst the Indians.

4756. Will you explain what you allude to?—I mean to say that the Indians are prevented even from making presents to one another; they cannot trade with each other; if the Hudson's Bay Company are aware of it, they will take means to stop it. They even prevent presents from one Indian to another, and have gone so far as to try to bring missionary efforts to prevent them even wearing furs.

4757. Mr. Roebuck.] In what way did they bring missionary efforts; did they tell them, for example, that the anger of God would follow the wearing of a fox skin?—I dare say they might not have spoken in that way, but they wished them to exert their influence. I know one particular case myself where it has occurred, where they applied to the missionary to interfere; they had been wearing furs about the bottom of the river, and Mr. Smithurst was applied to for the purpose, but he refused.

4758. Mr. Grogan.] Was he the missionary?—He was the missionary. If I am not mistaken, he is in England at present, perhaps in London; I dare say he might corroborate the statement if he was called upon.

4759. Mr. Roebuck.] What was he asked to do?—He was asked to interfere.

4760. In what way?—The missionaries there have a certain power and influence over the Indians; I do not say that he was to do it officially from his pulpit, but to speak to those around him, and to bring his influence in that manner to bear upon them.

4761. He was asked, then, by some authority of the Hudson's Bay Company to go to the Indians, and in his character of missionary to try and persuade them not to wear furs?—Whether in his character of missionary or not, I cannot say, but in his character as a person having influence over them.

4762. Will you state certain particulars, and give cases to the Committee in which this sort of what you call persecution on the part of the Hudson's Bay Company took place?—It was so general that it would be impossible to do it at this time of day.

4763. Is a thing so general that it is impossible to state any particular?—I think so; when it is so general, that is where the impossibility lies; if it was an individual or solitary case, I could at once light upon the party; but I know that in 1845 and 1844, at the time that this trading was carried on to such an extent, the Indians and the settlers, or those parties who traded in furs, received immense annoyance in that way from the Hudson's Bay Company in their refusing to sell them goods and to give them certain supplies.

4764. Mr. Christy.] Was that a time of peculiar excitement?—Yes.

4765. Will you endeavour to describe that to the Committee. Instead of merely answering the question, unless you endeavour to describe to the Committee what you mean to represent, it involves a number of questions being put which perhaps might be unnecessary if you would enter into a more general description upon that which you wish to state.—In 1844 and 1845, and for two years, there was quite a ferment in the settlement, owing, in a measure, to this trading in furs; and not only that, but other disadvantages under which they laboured created this excitement. There were prohibitory duties placed upon goods coming into the settlement; upon manufactured goods entering the country.

4766. Mr. Edward Ellice.] Will you state of what those prohibitory duties consisted, and how they were put on?—I shall refer to them again if you will allow me. I have the original documents on the subject in my possession. They were

were prohibited from trafficking or importing goods from the United States except once a year, and that only to the amount of 50 l. sterling. There was a complete discouragement thrown in the way of an export trade with England in tallow and hides and tongues; there was an issue of land deeds of the most peculiar and ridiculous nature, and of such a character as no British subject could possibly submit to. In fact there was a licence of a very severe nature, and no person could trade at all except under this licence. With regard to these land deeds, one peculiarity in them was—I might mention, that the parties had received this land, and purchased it some 20 years previous to this from another proprietor entirely, and they were called upon then to sign away their powers—one provision of the deed was, that the Hudson's Bay Company should grant them permission before they could sell their land to any other party. They could not even trade in furs in any other part of North America, and there were some other things like that. Then again there was a total prohibition of the fur trade, the only natural production of the country in its present wild state, with a great many other things that they had to complain of. These proclamations perhaps were contingent upon the fur trade, but at the same time they kept the settlement in a state of ferment.

4767. Mr. Roebuck.] You have mentioned three separate facts, and I want you, if you can, to supply to the Committee evidence of those facts. First, you say there was a prohibition to trade?—Yes.

4768. Have you any documents in proof of that?—I have. I think, if I am not mistaken, some of those proclamations were put in before; there is one here.

4769. What is that document?—This document is with regard to sending letters open to the Fort actually for the perusal of the Company.

4770. What is the character of the document itself?—It is a proclamation which has been issued by Alexander Christie, Governor of Assiniboia.

4771. Will you be good enough to let me look at it? (*The same was handed to the Honourable Member.*) I see this is a copy. Where is the original?—I think I can show you the original (*handing the same to the Honourable Member*).

4772. This is No. 4, "Winter Express."—All letters which are intended to be sent by this conveyance must be left at this office on or before the 1st of January; every letter must have the writer's name written by himself in the left hand corner below, and if the writer is not one of those who have lodged a declaration against trafficking in furs, his letter must be brought open, its inclosures, if any, being open also, to this office, and here closed. *Alexander Christie, Governor of Assiniboia, Upper Fort Garry, 20th December 1844.* That is an original document?—It is an original document; this is also a letter bearing upon it.

4773. Viscount Goderich.] Do you know that that is Mr. Christie's signature?—Perfectly.

4774. Of your own knowledge?—Of my own knowledge.

4775. Mr. Grogan.] It was publicly proclaimed to the settlement?—Yes, I took it down myself to make certain of it, which I did with all the other proclamations.

4776. Mr. Roebuck.] Does this letter apply to that?—It applies to that.

4777. Chairman.] From whom is that letter?—From one of the Company's clerks on the subject.

4778. Mr. Roebuck.] It is signed by "R. Lane," and addressed to "Andrew M'Donohoe." "My dear Sir,—As by the new regulations regarding the posting of letters, it would be necessary that Mr. M'Laughlin should send up his letters open for my perusal, a thing which cannot be agreeable to him, will you have the goodness to tell him that in his case I shall consider it quite sufficient his sealing the letters in my presence without any perusal on my part, and for that purpose I shall call in at your house to-morrow evening. Believe me, yours very sincerely, R. Lane."—Yes.

4779. Mr. Grogan.] Do you know whether any of the settlers at the Red River, besides yourself, took exception to that proclamation and refused to submit to it?—Yes, it was general from one end of the settlement to the other.

4780. Was the regulation endeavoured to be enforced by the government, so far as refusing to take the letters unless they complied with the proclamation?

—Mr. Sinclair's letters were refused.

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4781. Mr. *Edward Ellice*.] Who was Mr. Sinclair?—He was a settler.

4782. Was he one of those who trafficked in furs?—Yes, he trafficked in furs the same as the other settlers.

4783. Mr. *Grogan*.] Was Mr. Sinclair the gentleman concerned in a speculation in tallow which the Company refused to take to England?—The same gentleman.

4784. Mr. *Roebuck*.] I see Proclamation No. 2 in the paper which you have handed to me, by the governor of the Red River Colony; I suppose this is a copy also?—That is a copy.

4785. Have you the original of it?—I think so.

4786. This is the proclamation: "Whereas, under the fundamental laws of Rupert's Land, it is notoriously illegal to traffic with other countries, or in imported commodities, unless under the protection of the written licence of the Hudson's Bay Company; and whereas, under the general law of England, an illegal transaction cannot be aided by a court of justice, whether to make the debtor pay what he owes, or the agent account for what he has received, I hereby give notice, that in order to guard the fair and honest dealer against otherwise unavoidable embarrassment and loss, I shall forward to every maritime importer who has lodged a declaration against trafficking in furs a licence to the following effect: 'On behalf of the Hudson's Bay Company, I hereby license to trade, and also ratify his having traded in English goods within the limits of Red River Settlement, this ratification and this licence to be null and void from the beginning in the event of his hereafter trafficking in furs, or generally of his usurping any one whatever of all the privileges of the Hudson's Bay Company.' Given at Fort Garry this 7th December 1844;" but there is no signature?—No.

4787. Have you the original?—I have (*handing the same to the Honourable Member*).

4788. Mr. *Edward Ellice*.] The date of that is 1844; you remained in the country for some years after that; did not you?—I did.

4789. Are you aware whether those proclamations were disallowed by the Hudson's Bay Company in London?—I am not aware of that; I think there is quite a difference between the Hudson's Bay Company in London, and the Hudson's Bay Company in Hudson's Bay.

4790. Were those proclamations put in force after the first year?—They were.

4791. For how long were they put in force?—Until 1848, I think, or some time like that. This petition, some years afterwards to the Council, was sent on the very same subject, if you will allow me to read it: "We, the undersigned American importers, most respectfully lay before the Governor and Council of Assiniboia certain claims for drawback upon imports from the United States, paid the Collector of Customs under protest" (that shows they were paid), "which we hope your honourable body will order to be refunded, as at the time of importing these goods your humble petitioners were not aware of any revenue law being in force other than the one known as the 4% law, and applicable to imports either way; that as *ignorantia facti excusat*, and a sufficient publicity not having been given, your petitioners do not consider themselves liable to this extra impost, and would with submission urge their reasons for so believing: 1st. That this duty, founded on the Canadian tariff, was never promulgated, and was framed for peculiar purposes, 15th June 1845, to suit the exigencies of that period; 2nd. That it remained a dead letter for two years, and as no action had been taken on it during that time it should be now considered as null; 3d. That several of your petitioners had sent for goods before aware of its existence, and have sustained losses in consequence; that many of them are yet ignorant of the duties payable upon the different descriptions of merchandise, so that as likely as not the articles imported might be under prohibition, or such as would entail positive loss to the importer; 4th. That these goods were brought at a time when the settlement stood greatly in need of them; 5th. That a colony situated as this is, isolated from the world, and possessing no export advantages, should not be taxed the same as Canada; for whilst we admit that there should be a protection extended to British manufacture here; as well as in other English colonies, still the tariff should always be regulated to suit the condition of the country, for what may be admitted free in one country might be heavily assessed in another, and both under the same government. Your petitioners respectfully

respectfully consider that a trade carved out by themselves, and attended with so much risk and labour, should rather be fostered and encouraged than have restrictions thrown in its way; they would therefore beg of you to rescind the 7th resolution passed 15th January 1847, except in so far as relates to the exportation of cattle, as the wants of Her Majesty's troops stationed here could in no way so improve the condition of the American importers as to justify its adoption, as it is a well known fact that most of our exports to the United States consist in leather, mocassins, buffalo tongues, and Indian curiosities, articles which meet with no demand from the military, and afford employment to many families in the settlement. Your petitioners would earnestly urge upon the consideration of your honourable body, the necessity of assimilating the duties imposed upon American imports to the English tariff, or at least in so far re-modelling the same that they will not amount, as at present, almost to a prohibition; and respectfully suggest that five per cent. or six be the maximum rate on all foreign imports, without any differential duty, except on such articles as may interfere with the existing laws of the United States or England, or your honourable body may deem injurious to the welfare of the settlement."

4792. Mr. Gregson.] What is the date of that petition?—It was some time in 1848 that it was sent.

4793. Mr. Edward Ellice.] Were those proclamations in force when you came away from the colony?—No.

4794. Mr. Grogan.] Was there any official answer returned to that petition which you have just read?—A petition was presented through Mr. Thom for remission of duties, which he never replied to.

4795. Is that the one which you have just referred to?—Yes.

4796. Mr. Roebuck.] I have read to you the Proclamation No. 2. I find appended to it a copy of Minutes of Council?—Yes.

4797. I find that the date of those Minutes of Council was the 3d April 1845. Are these Minutes of Council subsequent to the Proclamation No. 2, which I have read?—I have not read those at all for years, and perhaps you will permit me to do so.

4798. The proclamation is, "Given at Fort Garry this 7th December 1844," and the other document is in 1845?—The excitement was going on until the troops arrived.

4799. There were present at this council, "Alexander Christie, Adam Thom, the Right reverend the Bishop of Juliopolis, the Reverend William Cockran, James Bird, John Pritchard, Alexander Ross, Robert Logan, George M. Carey, the Reverend John M'Callum, Andrew M'Dermot, Cuthbert Grant, John Bunn, and John P. Pruden?"—Yes.

4800. Who were those latter persons in that council; were they settlers?—They were all connected with the Hudson's Bay Company; I think every one of them. Will you allow me to look over the names; it is some years since I have read them? (*The document was handed to the Witness.*) The Rev. Mr. Cockran and the Right rev. the Bishop of Juliopolis were both pensioners of the Company; George M. Carey was also connected with the Company, receiving a certain sum. They were every one in some way or other connected with the Company.

4801. Then in your opinion that council did not fairly represent the colonists of the Red River?—Not at all; it represented the Company.

4802. They were in fact the representatives of the Company of Hudson's Bay?—Yes.

4803. "The President having stated that he had called the present meeting in consequence of Mr. Bird, the collector, having on Monday last informed him that certain importers of American goods had refused to pay the duty on their imports, requesting at the same time the president's instructions as to the steps that should be taken for enforcing payment of the same, the council declined sharing with the collector any part of the responsibility. The following resolutions, which were proposed by Mr. Thom and seconded by Dr. Bunn, were then unanimously passed." I find a note; is this in your handwriting?—It is not in my handwriting.

4804. There is a note upon the name of Mr. Thom, and as that note contains a very important statement, I wish you to look at it and tell me in whose handwriting it is?—That is Peter Garrick's writing in the settlement, if I am not mistaken in the writing.

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4805. Does that statement agree with your experience?—I could not possibly say.

4806. Of your own personal experience, can you say that that is true?—I should say not; I think it is only a suggestion, more than anything else.

4807. These are the resolutions:—"Whereas all matters of general interest ought to be tried and adjudged before the General Court: It is resolved, 1st. That all questions of revenue or prohibition, or licence, however inconsiderable may be the amount of the claim, shall be determined by the governor and council, and a jury; whereas, in the absence of written agreements the best evidence is commonly to be found in the breasts of the parties themselves; Resolved, 2d. That in all cases coming before the General Court, the plaintiff may summon the defendant, or the defendant may summon the plaintiff as a witness; and it is Resolved, 3d. That Adam Thom, John Bunn, and Alexander Ross, Esqrs., shall be a commission for examining such parties according to the English principles of equity; and it is Resolved, 4th. That the results of such examination shall go as evidence to the jury, either with or without evidence; it is Resolved, 5th. That this council do now adjourn." Does that mode of administering law agree with your experience of what occurred while you were there?—That was the common mode afterwards.

4808. After those resolutions were passed?—Yes. With regard to the plaintiff and defendant, I know one case (I do not like to be personal) where the recorder of the court, in a case of his own, was summoned, and he denied the competency of the court to try him. I know a similar case where the governor was concerned, and he denied the competency of the country to try him; that is to say, that he was beyond all legal influence.

4809. You have used the words "try him;" was it a cause that was to be tried, or was it the governor?—A cause, I suppose.

4810. Did he deny the competency of the country to try a cause between him and a private individual?—That was what it was; it was a matter which was brought before him.

4811. *Chairman.*] Was it a civil or a criminal cause?—It was a civil matter.

4812. *Mr. Grogan.*] There was a dispute between the governor and some of the settlers, and on the settlers seeking justice, the governor said that he thought that the authorities on the spot were not competent to decide it; is that the substance of your evidence?—It was a mercantile dispute.

4813. And the governor said that the authorities on the spot were not competent to entertain and decide that matter?—Yes.

4814. *Mr. Roebuck.*] What was the nature of the dispute?—It was a matter with regard to a dispute in freight. Certain parties in the country had agreed to take freight from York Factory to the Red River for the Company, and, by the contract, each piece of goods was to have been 90 lbs. avoirdupois weight; it appears that the Company had been in the habit of making up pieces in England; I do not say that they were aware of the circumstance themselves; but, however, there was an increase of some 10 or 15 lbs., and in some cases more, to each piece, for which they were paying only at the rate of 90 lbs., for which the contract was made. It was about this dispute in claiming for the over-freight that the action was brought, or attempted to be brought against the governor.

4815. And upon that matter of civil contract the governor said, that he being the party contracting was wholly beyond the limits of the law, and that no law could interfere between him and anything that he did?—Yes. If I could run through my papers, I have a letter here, I am sure, with the substance of that in it.

4816. I suppose the result of that transaction was, that the parties got no justice?—They got no justice in any way; it had to be referred to this country.

4817. In what way?—It was referred to Canada first of all; I was the party that brought it forward. I went to Montreal; I offered to lay it before the Board of Trade in Montreal—that is to say, the Chamber of Commerce—and they refused to submit it to that mode.

4818. Who refused?—The Hudson's Bay Company. Then I brought it to London, and offered to lay it before the Board of Trade here. The Hudson's

Bay

Bay Company refused that, but they offered to leave it to arbitration in a certain way, provided they were all legal referees or legal parties to it.

4819. Mr. *Edward Ellice*.] And it was settled?—It was ultimately settled after putting me to a little inconvenience.

4820. Mr. *Roebuck*.] How was it settled?—By paying a certain sum?

4821. Did the Company pay a certain sum?—They paid a certain sum to Messrs. McDermot and Sinclair.

4822. So that the result was that the Company turned out to be wrong?—The very payment might establish it to be so; but they must have been wrong decidedly.

1823. Then they gave the parties the trouble of bringing that matter from Hudson's Bay to England?—Yes; and at the same time they brought a charge against me on that very subject—for writing rather indiscreetly—and they entered a criminal action against me, and imprisoned me.

2824. Mr. *Edward Ellice*.] That was for libel, was it not?—Yes.

4825. Mr. *Roebuck*.] Where?—In the Criminal Court in the Old Bailey, which was dismissed of course.

4826. Mr. *Edward Ellice*.] Was it not for an attempt to extort money?—That was the charge; and it is the usual mode of the Hudson's Bay Company to bring forward such charges. It is very easy to bring forward a charge, but it is not so easy to substantiate it.

4827. The charge was an attempt to extort money by threatening to publish a libel, was it not?—Yes, that was the charge which was made. The charge of course was dismissed in the Old Bailey.

4828. Mr. *Roebuck*.] In what way was the charge brought before the Old Bailey?—By a judge's warrant which was issued.

4829. A judge's warrant issued against you?—Yes; four or five years after the occurrence.

4830. Was there any indictment laid before the grand jury?—Yes, I should say so.

4831. Was that indictment found by the grand jury?—I do not understand the mode which was taken at all in the matter, further than that I was arrested and the matter was tried here.

4832. You were arrested; were you brought into court?—I was.

4833. Were you brought before a jury?—I was brought forward there. I do not understand much about law.

4834. Was there a jury sworn to try your case?—I do not know really; the thing was dismissed, I know. The fact was, that it went off so lightly that I did not understand the process.

4835. Mr. *Grogan*.] Do you know what court it was?—The Old Bailey.

4836. Did you employ counsel to defend you on that occasion?—I did.

4837. Whom?—Mr. Parry.

4838. Did the judge charge the jury with regard to your case, and did the jury acquit you?—The judge acquitted me.

4839. Did you know whether there was a jury or not?—No, I cannot say really.

4840. Was it in court that you were brought, or before the judge himself in chambers?—The court.

4841. And the charge was stated that you had published this libel with intent to extort money?—Yes.

4842. And your counsel endeavoured to defend you?—Yes.

4843. And on the statement on both sides being heard by the judge he dismissed you?—Yes.

4844. Mr. *Roebuck*.] Was there any evidence given?—No evidence.

4845. Mr. *Edward Ellice*.] Did the indictment go off upon the ground that the statute did not apply to a corporation?—Yes, I think so; it is the usual mode of doing it; it is only very lately that the Hudson's Bay Company have brought a charge against a clergyman for trading a buffalo robe, or at least mentioned they would do so.

4846. Mr. *Grogan*.] On your dismissal from the court, so ended the whole of that transaction?—Yes.

4847. Did you, in justification of yourself, take any step against the Company

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afterwards on the ground of false imprisonment, or anything of that kind?—I would have done so, but my father prevented me.

4848. Was it your intention to have done so except for the interference of your father?—Yes, I had taken the preliminary steps.

4849. You had commenced an action?—I had commenced an action, and had served a notice upon the Hudson's Bay Company.

4850. Did you do that under advice?—Under advice.

4851. Mr. *Edward Ellice*.] Did you take out a writ?—I was prevented; I merely took the preliminary steps; my father prevented me from proceeding any further.

4852. What were those preliminary steps?—Serving a notice upon the Company through my solicitor.

4853. Mr. *Grogan*.] Can you give us the date when the application was made to the Governor by these contractors for payment of the over-freight which they carried?—I might mention that, after this very occurrence, I was actually in the Hudson's Bay Company's employment; some years afterwards I was employed by them to go to the United States, and they gave me a passage home through the Hudson's Straits in their vessel, and even informed me when I was in Liverpool that they were going to serve me with a Bench warrant, just to give me an opportunity to leave the country; if they wanted to arrest me they could easily have done it; I just consider it necessary for me to make this statement, as it has gone forward.

4854. Can you mention the date at which the application for the payment of the over-freight was made to the Governor?—You mean in the settlement there; not here?

4855. Yes.—The 22d day of July 1845.

4856. How shortly after that was it that the Governor declared himself as out of the jurisdiction of the law; was it the same year?—I think in August or in July.

4857. In the same year?—In the same month.

4858. Then you went to Canada about this, and finally you came to England?—Yes.

4859. When you were in England the Company paid this over-freight?—No, it was afterwards; when I was in England I made the demand perhaps rather indiscreetly. I am rather wild sometimes in my epistolary correspondence.

4860. You made a second demand in England?—I made a demand in England.

4861. Where and when was the amount so demanded paid?—It was paid afterwards to Mr. M'Dermot and Mr. Sinclair, in Red River.

4862. Do you know where it was paid?—No; I should think it was in 1850 that it was paid.

4863. Are we to understand you that between the period of demanding payment for the over-freight and the payment of the debt itself, five years, or thereabouts, elapsed?—Yes, it was four or five years before they made any acknowledgment or return, or paid this freight.

4864. Then this prosecution of yourself, to which you have called our attention, arose out of the letter addressed by you to the Company in this country on that subject?—Yes.

4865. Mr. *Roebuck*.] Do you know what the sum demanded was; was it 353 l.?—I think so; 300 l. or 400 l.

4866. How much was paid eventually?—I really cannot say; but I think it was 100 l. each that they paid them; they were glad to get anything.

4867. So that, eventually, after five years' waiting, the parties received 100 l.?—So I understood.

4868. Mr. *Edward Ellice*.] Is that Mr. M'Dermot's writing (*handing a paper to the Witness*). Is that Mr. M'Dermot's signature?—This is his signature, certainly.

4869. That is a receipt for the money; in what year?—In 1846; but will you allow me just to look through some of these documents; I may be a little hasty in dates. There is such a confusion, and so long a time has elapsed, that I have not looked over these things, and I may be hasty. It is impossible that the money could have been paid in 1846, because it was in 1849 that I was arrested.

4870. Mr

4870. Mr. Grogan.] And you were arrested previously to the payment:— I can show you a power of attorney from Mr. M'Dermot during that date, which will settle the whole matter.

4871. Mr. Roebuck.] This is a receipt given by Andrew M'Dermot in full of all demands: "Received from the Honourable Hudson's Bay Company the sum of 100 l. sterling in full of all claims and demands whatsoever, in reference to all transactions between myself and the said Company, or its representatives, which have taken place up to this date;" and the date is the 25th of July 1846:—That might have reference to some other proceeding.

4872. When did this transaction take place about which you say these disputes occurred?—I shall have to go over the whole affair, as it is brought forward. In 1846 I was in communication with the Hudson's Bay Company in January and February, and perhaps March, on this very subject. Then I returned to Hudson's Bay after that; and when I was there it was not settled, nor did I understand that it was settled.

4873. This is a receipt given in July 1846, in full of all demands?—Yes.

4874. Your transactions, you say, with the Hudson's Bay Company, took place in the spring of that year, in January and February?—Yes.

4875. Therefore is not that a receipt in full of all those demands?—I do not know whether it refers to that exactly or not; I could not possibly say, because I had not arrived back again in the settlement in the July of that year. I did not arrive back again in the settlement until September, I think.

4876. When was the demand made in England?—In January.

4877. Of 1846?—In 1846.

4878. Then this is a receipt in full in July?—It might have been got behind my back; I only understood this much, that it was settled.

4879. It was settled in that year?—It might be: I cannot say. It might refer to that; but it does not state the freight account there.

4880. So that your former statement that five years elapsed between the settlement and the claim is inaccurate?—It might be, I admit; but I cannot possibly say whether it refers to that or not: I am only aware that afterwards I received a letter stating that it was settled for 100 l. each.

4881. Have you that letter with you?—No; it is a private letter from my uncle stating it. I have a power of attorney here from Mr. M'Dermot, to collect this very freight.

4882. You have stated that there were land deeds issued of a very peculiar character?—Yes.

4883. Have you any land deed with you?—I had a land deed, and I do not know what has become of it. I came off very hurriedly, and just scrambled up all the papers that I could lay my hands upon; I had only a few hours' notice.

4884. You cannot find that land deed?—No.

4885. Can you from memory state what the purport of that land deed was?—Yes; I can state distinctly that one portion of it was that they could not sell their property without first of all receiving permission from the Hudson's Bay Company. Another portion of it was, that they could not trade in furs or leather in any part of North America.

4886. You say that one part of it was that they could not sell their property without the permission of the Company: was that their produce: did it include wheat or corn which they produced upon the land?—No, their land; the fee-simple of it, I suppose.

4887. Was that the universal form adopted when land was conceded by the Hudson's Bay Company?—It was latterly that this land deed was brought forward; it was during the time of these troubles.

4888. You also stated that there were certain licences to trade?—Yes.

4889. Have you any copy of those?—Yes. I have really given this subject very little attention for such a number of years (it is now eight years since I was there), that I may be confused with regard to dates: I really cannot lay my hand on it, but I have it somewhere.

4890. Do you know the date to which the licences refer?—I cannot say, really; it must have been about 1844 or 1845.

4891. In the paper you have handed to me there is a copy of a "Licence to freight goods from York Factory;" is that one of them?—It must be one of them.



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4892. "I hereby license \_\_\_\_\_, of Red River Settlement, to carry on the business of a freighter between Red River Settlement aforesaid and York Factory; provided, however, that this licence, shall be null and void for every legal purpose from this date, if he traffic in any thing whatever beyond the limits of the said settlement, excepting in so far as he may do so under any municipal regulation, or if he traffic in furs within Rupert's Land or without, or if he become or continue to be the employer, or the agent, or the partner of any person who may traffic or usurp, or may have trafficked or usurped as aforesaid, or of any such person's debtor." In your recollection is that a true copy of any such licence?—Yes, that is the freighter's licence.

4893. "Given at Fort Garry, this 29th day of July 1845. (Signed) *Alexander Christie*"?—Yes.

4894. Does your experience tell you that you have seen such licences as this in the original?—Yes, I have.

4895. I find also a proclamation by the Governor of Red River Colony, dated 7th December 1844, to the following effect; and I want hereafter to ask you whether you have the original of this proclamation:—"Whereas certain persons are known to be trafficking in furs, I hereby give notice that, in order to preclude, if possible, the necessity of adopting stronger measures for the suppression of this illicit trade, the Hudson's Bay Company's ship will henceforward not receive at any port goods addressed to any person whatever, unless he shall, at least a week before the day appointed for the departure of the winter express, lodge at the office of Upper Fort Garry a declaration to the following effect: 'I hereby declare that since the 8th day of December instant I have neither directly or indirectly trafficked in furs on my own account, nor given goods on credit, or advanced money to such as may be generally suspected of trafficking in furs; moreover, if before the middle of August next I shall appear to have acted contrary to any part of this declaration, I hereby agree that the Hudson's Bay Company shall be entitled either to detain my imports of next season at York Factory for a whole year, or to purchase them at the original cost of the goods alone.' The proclamation goes on: "I feel confident that the community at large will appreciate my motives for extending this regulation for the present to all importers without distinction; and in order to lessen as much as possible the trifling inconvenience of making the necessary declarations, the accountant has prepared a sufficient number of copies for the signatures of parties." (Signed) *Alexander Christie*, Governor."?—Yes.

4896. Can you state, upon your own knowledge, that that is a true copy of the proclamation?—Distinctly.

4897. Mr. *Grogan*. Have you the original?—I have.

4898. Have you it with you?—No; Mr. *Isbister*, I think, has it, if I am not mistaken.

4899. Mr. *Roebuck*.] I will now read to you a law, said to have been passed at Council, on the 19th of June 1845, and I will ask you after that whether you can state positively, from your own knowledge, that this is a correct copy of that law: "If any one shall attempt to influence the testimony of such members of his family as a painful necessity may compel the law to call as witness against him, he shall be held to be guilty on his own implied confession; provided, however, that he shall still be liable for all the pains and penalties of the grave misdemeanor of tampering with the course of justice. The Company undertake to reduce its native spirits to proof, and to tinge them with a peculiar hue not easily imitated. The Company will issue gratuitous licences to suitable applicants, permitting and obliging them, during all lawful days, and at all reasonable hours, to retail on their respective premises the Honourable Company's native spirits, in duly measured quantities, less than half a gallon, at the rate of 8s. a gallon, for ready money only. The Company undertakes to pay 1s. a gallon duty, provided all other claims of the settlement for duties, penalties, and the like, have previously either been paid in fact, or satisfied in law." Does your experience tell you that that is a correct copy?—This is perfectly correct.

4900. Have you any knowledge of any person being punished for endeavouring to tamper with the course of justice, because he endeavoured to influence the evidence of his family?—I am not aware of any case to that effect.

4901. You cannot say that that law has been carried into effect?—I think not;

not; I cannot say that it has; so far as regards tinging the liquor with a peculiar hue, I am aware that it has not.

4902. I will read also from a proclamation signed by "Alexander Christie:" "Finally, in taking this second step in a well weighed cause of negative coercion, of which the still distant close will, if necessary, usher in a different system of proceeding, I confidently expect the cordial sympathy of all good citizens in aiming at the suppression of the illicit trade in furs; a trade as prejudicial to the solid prosperity of the settlement as it is pernicious to the permanent welfare of the Indians"—I remember that distinctly.

4903. Here is a document which requires some explanation; perhaps you can give it: it is "Extract from letter of instruction received by Captain E. V. Sumner, 1st Dragoons, United States army, dated Head Quarters, Third Military Department, 7 May 1845;" are these instructions to the United States army?—It was from Mr. Kitson that that was received, an American fur trader on the Pembina.

4904. What relation has this to the Hudson's Bay Company?—The half-breeds were prevented from hunting buffalo on the other side of the 49th Parallel by receiving that, and consequently they made claims upon the Hudson's Bay Company for trafficking in furs, to make up for this loss which they met with on being prevented from hunting buffalo.

4905. They were prevented hunting buffalo by the United States Government, and in consequence of that they made certain claims upon the Hudson's Bay Company; do I understand you rightly?—Yes.

4906. Were those claims acknowledged by the Hudson's Bay Company?—Not at all.

4907. Upon what ground did they claim any right to make a demand on the Hudson's Bay Company in consequence of that?—One portion of their support was taken away from them; and at the same time, when they found that they would get nothing from the Company, they even made a claim upon the American Government.

4908. Mr. *Edward Ellice*. Will you tell me whether that is Mr. M'Dermot's signature and handwriting (*handing a paper to the Witness*)?—It is so.

4909. Should you be surprised if Mr. M'Dermot had written to a gentleman in London, dated the 8th of August 1846, before the settlement which you were speaking of, saying everything that was settled amicably between himself and the Company, and ending in this way: "My nephew, ——" that is yourself?—Yes.

4910. "My nephew, who went home last year, has not made his appearance yet. I am sorry to say that he is a very imprudent young man. He might well know that, whatever he might gain with the Company by being polite, he could gain very little by bullying them to come to terms. When he left here I advised him for the best, but he did not follow my advice in one instance. And all the stuff he collected about this settlement was furnished him by people in the service, and others who could be little suspected for such a thing." Should you be surprised, if he had written that?—No, I should not be surprised in the least. I am perfectly aware of the Hudson's Bay Company's mode of getting up theatrical matters.

4911. That letter is a letter on private business to a friend of his?

*Witness*.—Might I ask the question whether the friend is not the Secretary of the Hudson's Bay Company?—Yes.

4912. Mr. *Christy*.] Probably this gentleman is, in a measure, under their influence?—Immensely; he can do anything they wish him. I could perhaps produce letters from Mr. M'Dermot which would rebut a great deal of that evidence, furnishing me with the very things which he now says I received from others.

4913. Mr. *Grogan*.] You mentioned that after your application, as Mr. M'Dermot's agent to the Company, for payment of the over-freight, you were employed in the service of the Company?—Afterwards.

4914. In what years were you in the service of the Company?—I was not in the service of the Company.

4915. Were you engaged by them?—I was engaged by the Company at the time the troops went out there to procure cattle and flour from the United States.

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4916. *Chairman.*] Do you mean that you had transactions with the Company as a merchant?—I had transactions which they would not, of course, have intrusted to me if they had not some little confidence in me, and especially after a transaction of extorting money from them.

4917. Were you in the transaction to which you have just referred, the purchasing of cattle for the troops, employed by your uncle Mr. M'Dermot to do it, or were you employed by the Company?—I had an interest in the matter; it was a joint transaction with my uncle and myself.

4918. Then you were not under the Company at all?—I was not under the Company. I can show documents from the Governor of the Company, distinctly entrusting me, and writing to me on the subject (*producing a letter*).

4919. What is that letter?—I do not know; that is one of them; I have a lot of them here.

4920. Mr. *Christy.*] With respect to the spirits, a question was asked you whether you had not yourself dealt in some spirits during the time that you were in the Red River Settlement. Are you aware whether the Company sell spirits to the Indians, or barter them in exchange for furs?—I am not aware whether they do so at present, but I know that in my time they did.

4921. Of course, I am speaking with reference to your own knowledge?—Yes.

4922. Was it a matter of notoriety that they exchanged spirits in barter for furs?—It was.

4923. You have heard it over and over again asserted that that was the case?—Yes. I have seen it myself; I have not only heard it asserted, but I have seen it.

4924. Are you aware that a considerable amount of spirits is imported in the ships of the Company every year?—I am not aware of the exact amount; I have never seen any official return.

4925. I think it has been given in evidence, that there were 4,900 and some odd gallons annually. Can you tell me what you suppose becomes of that quantity of spirits taken annually in the Company's ships?—I should say a certain portion of it may be for the use of the servants in their employment, and the remainder for trade and traffic.

4926. Would you suppose that the quantity which I have mentioned was distributed equally over the year, or at any particular period of the year?—I cannot possibly say how it is; I have no means of knowing the internal arrangements of the Company.

4927. Can you give us any information from your own knowledge of how that quantity of spirits which it must be notorious is imported every year into the territory in the Company's ships is disposed of?—Wherever there is an opposition the greatest amount of spirits is used; while on the Pembina at the time that Mr. Kitson and the American Fur Company and the Hudson's Bay Company were in opposition, the liquor was the principal item of goods which went out to supply the Indians to get the furs.

4928. *Chairman.*] You think that the sale of spirits increases with competition as a general rule?—Not with competition, but with opposition.

4929. By competition I mean competition in the fur trade?—I think a general competition in the fur trade would not induce the diffusion of spirits; I think that a single opposition might, where there are two monopolists fighting against each other, but where the country is thrown open to every one, I think not.

4930. Why do you believe that if the fur trade was generally thrown open to all the world it would not be conducted very much through the introduction of spirits?—I should think not; with two great monopolists such as the North-west Company and the Hudson's Bay Company, or the American Fur Company and the Hudson's Bay Company, they might bring those weapons to clash against each other, but I think that where it was general, the diffusion of spirits would not be used; there would then be individual trade amongst each other; trade would be conducted in the manner in which it is conducted here, upon general principles; it is only with two great companies that a war-like that, or the scenes of the North-west Company could be enacted over again.

4931. Do you believe that if the trade was thrown open altogether, it is probable that the fur trade would be conducted by a great number of individuals, or that it would not be conducted still by several powerful companies competing against each other?—I think that the nucleus about Red River would form the great portion of the trading community. The present parties who are there have

have so much of the half-breed element, that it would be conducted from that point; I think it would not attract companies there, because every man is naturally a trader there.

4932. Do you think that it would be conducted by the insulated and disconnected efforts of individual merchants, or do you think that it would be conducted by merchants combining together and conducting it upon some system?—On account of the great monopoly which the Hudson's Bay Company have had for years, and the immense profits which they have received, it might be the means perhaps of starting a formidable company in opposition to them; but I rather think that it would be general over the country; that it would be individuals who would be engaged in it, and that supplies would be received from the settlement; that it would create a greater number of merchants from Canada and England for the supply of these parties to trade with the Indians.

4933. Do you believe, for instance, that a trade in distant parts of North America could be advantageously conducted by insulated individuals not possessed of great capital?—I think in the course of time it might; but for my part I should draw a line of distinction as regards that portion of the country which is better adapted for colonization and cultivation, and if the remaining portion were left in the hands of the Hudson's Bay Company it might gradually disappear.

4934. Am I to understand you that you would apply a different system with regard to trade and colonization to those districts of the country where you think colonization could be introduced, and that the more distant portions of the country, which are not likely within any assignable period of time, for some years at least, to be fit for settlement, you would still leave under the management of the Hudson's Bay Company?—That is my opinion; for a certain portion of time. There is a certain portion of the country which, of course, is so inhospitable that it would be impossible to colonize or cultivate it. But the Indians, at the same time, by a proper course might be all drawn down to the more habitable portions, as they are such a race that they might amalgamate with the others.

4935. Are you at all prepared to state where you think the line should be drawn dividing the two countries, which you think should be treated on these different principles?—Yes.

4936. Where would you draw the line?—I would draw the line from the northern point of Lake Winnipeg, from Norway House along by the southern branch of the Saskatchewan to the Rocky Mountains.

4937. Putting all questions of right and charter for the present out of consideration; do you think that it would be expedient that the territory to the north of that line should be for the present managed by the Hudson's Bay Company?—I think so.

4938. Would you leave them the exclusive right of trade within those limits?—I think that it is a very hard matter to give the exclusive right of trade to anybody. I think that their own power and settlement in the country would prevent anything like competition in that quarter, or much competition.

4939. Do you think that there is nothing inherent in the nature of their trade which renders it necessarily exclusive, if it is to be conducted at all?—I do not think so. I know that even small traders made their way up from Canada 30 or 40 years ago; right up to the Saskatchewan; to the Slave Lake even.

4940. But if you allowed either small traders, or a company, to interfere with the Hudson's Bay Company's management of the Indians, under that system should you not be apprehensive that spirits would be introduced there?—It is impossible; there is a key to the country, so that it would be an impossibility to introduce spirits into the country. There is a key which would lock up the entire country, and prevent anything like spirits being brought into it.

4941. To what do you allude?—I would allude to the point at Norway House. I would allude to another point where there could be a Government Commissioner to prevent it, either at Norway House or at Fort William. With regard to the Americans, the same rule applies now as would apply at any other time, because the Americans may come at present; you cannot exclude them. But with regard to the Americans it is quite different. I have travelled a good deal through the entire Minnesota territory, and you never see or hear of spirits among them; it is impossible. In their licence to trade they are so very particular that they even search the carts, when they are going out, to see that no

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spirits shall go. I think I have here a copy of their licence to trade, which will show you that it is to that effect.

4942. What do you exactly mean by saying that you think that the territory to the north of the line which you have drawn should be still left in the management of the Hudson's Bay Company?—I suppose that I would allow them that for compensation for giving up the remainder.

4943. What advantages do you give them at all if you only say that they may trade there as well as anybody else; what do you mean by saying that you would give them the country in any sense, if you say that they may go there, but that anybody else may go there too?—I would permit them to have a licence; but I would not permit them to have an exclusive right to the country.

4944. Then no licence of course would be necessary for that; is it not so?—I do not know; I do not know that their charter is so very valid as that.

4945. Mr. Christy.] Do you think that if the trade was entirely thrown open the Hudson's Bay Company would, for a long period to come, have almost the exclusive control of it?—I should think so, by the position which they are in.

4946. You think that from their position, from the establishment of their forts, from their general organisation, and from the knowledge of them possessed by the native population of the country, they would still have the largest share of the trade, and almost the exclusive trade, in that northern portion of country which you say might for a time be handed over to them?—Yes; I think they have facilities which no others have.

4947. If the trade was entirely thrown open, that is your opinion?—Yes; I think that from the position which they hold at present, they could maintain it; and it is only by competition, of course, that the Indians will receive anything like fair play.

4948. Chairman.] And you have no fear, as I understand you, that in the course of this competition spirits would be introduced, first of all by one party, and then in self defence, by the other, to the great injury of the Indians?—Not the slightest. The key at Fort William and Norway House would prevent that from our territory.

4949. Mr. Christy.] How far have you travelled in this country west?—To the mouth of the Yellowstone River.

4950. What is your general opinion with regard to that southern portion of the country of which you spoke?—I think it is a very fine country, fit for colonization.

4951. Mr. Grogan.] Yellowstone is in the States?—Yes, on the Missouri.

4952. Mr. Christy.] Have you formed any opinion as to whether there could be a better mode of communication, either by water or in any other manner, formed in that country from Lake Superior to the west?—I think that the old route which is at present pursued by the Hudson's Bay Company, and which was used by the North-west Company, could be very much improved.

4953. Viscount Goderich.] That is to say, the route by the Rainy Lake?—From the Lake of the Woods in that direction, and by Fort Alexander into Lake Winnipeg.

4954. Mr. Edward Ellice.] Have you ever been there yourself?—I have been more in the direction towards Red Lake.

4955. But have you ever been in the country of which you were speaking just now?—I have never been in the route from Fort William, except that I know the description of country. The principal portion of the country which I have travelled over, and which I know has been between St. Peter's and Lake Winnipeg, and then off again towards the Missouri, and that strip of country along the valley between the Saskatchewan and the 49th parallel.

4956. Mr. Grogan.] Have you travelled the route from the Red River Settlement to Lake Superior yourself?—Never that route.

4957. Mr. Christy.] Will you explain to the Committee in what way you think there might be an improvement made in the water route?—In getting over some of the portages.

4958. Are you aware whether the Company have done anything to improve them for a considerable length of time?—They have done nothing to improve them; it is not their object.

4959. But you think that they are capable of great improvement?—So I am led

led to believe from every opportunity that I have had of knowing; and I have of course been thrown into intimate communication with parties who have travelled that way often and continuously.

4960. Viscount *Goderich*.] Have you yourself been on the Saskatchewan River?—Never on the Saskatchewan; never so far to the northward.

4961. I understood you to say that you would leave the country round the northern branch of that river in the hands of the Hudson's Bay Company?—From that I would draw the line to the northward, and take the valley of the Saskatchewan.

4962. You took the southern branch, did you not?—I did.

4963. Then you would leave the northern branch of the river in the hands of the Company?—Yes; I mentioned the southern branch more as a boundary.

4964. Have you any reason to believe that the country in the neighbourhood of the northern branch of the river is not suited for cultivation and settlement?—Yes, I believe it is suited for cultivation and settlement between the northern and the southern branch.

4965. But you do not know anything of that country from your own knowledge?—Not from any personal knowledge.

4966. Mr. *Christy*.] While you were at the Red River Settlement what means had the settlers of knowing the regulations of the Company?—By proclamations, those that have been read.

4967. Proclamation, such as we have had before us to-day, was the means of communication with the settlers by the council?—Yes.

4968. And the only means?—The only means.

4969. Was the trade in the Red River Settlement like that of the Indian country, one exclusively of barter?—No, they had a paper currency.

4970. Will you describe of what sort it was?—They had a currency of a most peculiar character: the bills were from shillings to a pound; they were at 60 days after date, if I am not mistaken, and were payable on the coast nearly 800 miles from Red River, or in London; the fact of the matter is, that in one or two instances the Hudson's Bay Company threatened to withdraw these notes from circulation.

4971. Was that in times of excitement?—In the times of excitement.

4972. With a view to putting down the excitement which existed?—With a view to preventing trafficking in furs and trading.

4973. Was there an objection raised to that currency which was employed in the settlement?—A very great objection on that very account, that bills of exchange had been refused to several of the parties who had been trading in furs, and also a premium of 5 per cent. had been placed on bills of exchange upon goods going to the United States.

4974. You have spoken of some circumstances connected with Mr. Thom, the recorder, were there any complaints of the administration of justice when you were in that settlement?—Where an action lay between the Company and the settlers, of course there was want of faith that that administration would be effective, and the people very naturally were afraid to bring any actions or disputes, or anything like it.

4975. Was that during the time that Mr. Thom was recorder?—Yes.

4976. Was there a general dissatisfaction with Mr. Thom during the time that he was recorder?—So general that it was rather feared that he would receive some rough treatment from the people.

4977. Did he continue recorder of the court, and continue to exercise his functions as recorder of the court during the whole time that you were in the settlement?—No, for a portion of the time; a person was imprisoned for trading in furs, there was a trial about it, and the excitement was very great indeed.

4978. He ceased to be recorder at a certain period?—He ceased to be recorder, and I think he was clerk in his own court afterwards, if I remember rightly.

4979. Do you know why he ceased to be recorder of the court?—On account of the feeling of dislike which was abroad in the settlement against him.

4980. Do you suppose that that feeling of dislike, which we have heard of several times, and which has been described as a complaint of the administration.

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tion of justice, arose from an improper administration of justice on the part of Mr. Thom?—It arose from those proclamations, which they attributed to him solely.

4981. Mr. *Edward Ellice*.] Not to the Company?—Of course to the Company, too; but they attributed them in a great measure to him; they imagined that if there had been no lawyer in the settlement, they would have got along far better.

4982. Mr. *Christy*.] I think that you have before said, that there was no organisation in the settlement, except that of the council from whom these proclamations proceeded, consequently the authority of the Company was exercised by that council?—Yes.

4983. Mr. *Edward Ellice*.] But the people thought that they could get on much better if there was no lawyer in the settlement?—In a serious case of life and death there were no means of defence for the prisoner, and on the merest circumstantial evidence he might be convicted.

4984. Mr. *Christy*.] Have you any knowledge of any particular case in which Mr. Thom became unpopular from the course which he pursued?—I think, from the very time that I went there, he was generally unpopular.

4985. I want to know whether it occurs to your mind that there was any particular case in which he exercised his judicial authority in a way which was considered one of partiality or injustice?—It is very hard for me to answer that question.

4986. *Chairman*.] You can say whether you do or not know any particular case?—I do; I know his own case, where he was summoned for a debt, and he denied that he could be tried in his own court. That in a measure might help to bring him into popular dislike. I do not like to introduce personal things like that.

4987. Mr. *Grogan*.] Is that the case to which you have already alluded?—It is.

4988. Mr. *Christy*.] Was he consulted by persons in the colony in reference to their case before he adjudicated upon it?—I cannot speak of my own knowledge.

4989. Was it notorious; you can speak from what was said?—I have heard that such was the case.

4990. During the time that you were in the colony?—Yes.

4991. *Chairman*.] But you do not know it?—I do not know it of my own knowledge.

4992. Mr. *Christy*.] Have you mixed much with the half-breed race in the settlement?—A great deal.

4993. What is your opinion of them?—Do you mean physically or intellectually?

4994. In any way that you choose to give the information to the Committee?—I think that physically they would be an improvement upon the breed in this country.

4995. We will go to their honesty, respectability, and general intellectual character?—I think that intellectually they are not inferior to the whites; they have risen, in fact, in a much greater ratio than the whites in Red River. I can refer to many of them in this country and in Canada who are in different professions as engineers and as doctors, and in different other situations in life, and I cannot point to a single white man's son in Red River who has done the same. I think that is a sufficient test.

4996. Would you entertain any apprehension, in the event of the country being thrown open, of the half-breed race disappearing?—Not the slightest. I rather think that they would leave the others in the shade; that they would have the preponderance; that they would intermix—

4997. Can you tell us how they are regarded in the United States?—The half-breeds in the United States are equal with the whites in every possible way, and about St. Peter's, they hold very good positions and are the principal merchants there. There is a reservation of land always given to them by the Government.

4998. Mr. *Charles Fitzwilliam*.] Are those Red River half-breeds or United States half-breeds?—I was speaking of the Red River half-breeds; at present I have been speaking about those at St. Peter's.

999. Are

4999. Are those at St. Peter's American half-breeds or Red River half-breeds?—At St. Peter's they are American half-breeds.

5000. Mr. *Christy*.] Have you any knowledge of the amount of the exports of the country?—If I might judge from one of their minutes of council, it states that in 1836 or 1837 their entire outfit was 25,000*l.* for the annual supply of the country; and if I might refer to Captain Herd's evidence on Tuesday, it states that the amount received from the country in one vessel was not equal in bulk to the cargo which went to supply the country. I think that that may be a pretty fair test to show the quantity which goes there. I can give a statement for several consecutive years of the profits of the Company.

5001. With reference to what was given in evidence by Captain Herd, who said that he thought that tallow did not form an item in the export of the country, because he understood that it was all required at the Red River Settlement, what is your opinion with regard to that article as a product of the country?—It is an article a great deal of which could be got if there was an opening for the export of it; but the Hudson's Bay Company have thrown cold water on it from the very commencement. I have a document with regard to this tallow which I would wish to read: "Mr. M'Dermot and Mr. Sinclair determined to ship a quantity of tallow, provided the freight would admit of a profit, and accordingly applied to Mr. Finlayson on the subject, who informed them 8*l.* would be the lowest possible price." That is the freight per ton. "Aware of the jealousy of the Company in that country, they at the same time applied privately to London, and received for answer,"—(I give them all credit in London for being more humane, and wishing to advance the interests of the colony more than I do the resident portion of the Company)—"that they (the Company) were very glad to find the people of Red River were thinking of such a thing, and would be very happy to encourage them in any manner." At the same time they placed the freight at 2*l.* per ton." They then took advantage of this offer, and they shipped tallow and tongues to York Factory, for the purpose of getting them out to England. They found to their astonishment that the tallow had not gone that year, the Company making an excuse that there was no room in their ship. The same thing occurred (a most extraordinary thing) the second year, and they found that it was just done to throw cold water upon it; and the consequence was, that they had to sell their tallow and tongues to the Company at the price which they chose to give them for them. This destroyed the tallow and tongue trade, besides hides.

5002. I understand you to say that the tallow which was sent to York Fort in the expectation that it would be shipped to London in the Company's ships at 2*l.* a ton, remained until the following year?—Yes.

5003. And the same occurred in the year succeeding that?—Yes.

5004. What was the amount charged?—The Company in Hudson's Bay charged 8*l.*, but the Company in London remitted it to 2*l.*, but however, they could never take advantage of that very liberal offer.

5005. In consequence of the price being so high as 8*l.*, it did not enter into the intention of the settlers at Red River to go into the trade?—The freight would have been rather high.

5006. But when it became known that the Company in London were willing to reduce the freight to 2*l.*, they then entered into the trade?—They then entered into the traffic, and sent down their supplies which they would have carried out.

5007. Mr. *Grogan*.] What might be the quantity of tallow on this transaction, how many packages, or tons, or cwts?—I cannot speak from my own knowledge at this time of the exact amount; it is now 8 or 10 years since; it is impossible for me to remember.

5008. Mr. *Christy*.] Do you think that the trade of the Red River Settlement could be carried on through a route which was more expeditious than that of the Company's ships, and by Hudson's Bay?—I think from Canada; I do not conceive any difficulty at all in opening a way with Canada, especially now as the settlements are up to the Saulte St. Mary. I might mention, to show you how the Americans are working their way up in that direction, that I was the first person with seven others who cut that entire route through the woods from the Mississippi and from Crow Wing River, right through, that is the route that is now used; and when I arrived at the Otter Tail Lake, the great majority of the Indians had never seen a horse before; they were called the Pillagers among the



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woods; they lived there, and now there is a settlement actually at the Otter Tail Lake.

5009. Mr. Grogan.] What may be the price of land which the American Government charge to settlers there?—A dollar and a quarter an acre.

5010. For the fee of it?—For the fee of it.

5011. What may be the price of land in the Red River?—Twelve shillings and sixpence, I suppose, on account of there being no market for the produce.

5012. You have spoken of a settlement being established on the Otter Tail Lake, and you describe it as in the heart of the woods; what outlet would there be for their produce there?—A connecting link by water from the Otter Tail Lake right into the Mississippi.

5013. If the facilities of water communication were afforded to the Red River, have you any doubt that the settlement would then go on as fast in that district as on the American side of the 49th degree?—I have no doubt, not from personal observation, but from the statements of others, that from Saulte St. Mary it would very soon fill up, if free grants of land were given for a time in a certain portion of the country.

5014. Have you been to Saulte St. Mary yourself?—No, I have never been there.

5015. You mentioned to us, some time ago, something about the authorities in the Red River refusing to post and despatch letters unless they were delivered to them open and sealed in their presence?—Yes.

5016. Have you ever known any instance in which letters were opened by them?—No; I only know that some letters which I sent never reached their destination.

5017. They might have been lost on the route?—They might have been lost on the route; I know that the letters were brought up open to the fort for the perusal of the Company at that time when the proclamation was issued.

5018. Did you ever know of any instances in which letters had been opened by them?—Never.

5019. You spoke of the administration of civil justice by Mr. Thom, the recorder there; did he administer criminal justice also?—Criminal as well as civil.

5020. What might be the nature of the criminal justice; was it little petty offences, and things of that kind?—There was an Indian hung while I was there.

5021. Under order of the recorder of the place?—Yes, he passed sentence.

5022. What was the offence?—Some Sioux came there to pay a visit, the grandfather of this Indian had been killed by the Sioux, and of course he considered, as all the Chippewas, and the Crees, and the Assiniboines do, that he was not under the jurisdiction of the Company, he retaliated in the mode that they do in Indian warfare, and shot this Sioux, the same ball killing a Chippewa.

5023. And he was hung for that offence?—Yes.

5024. That is the only instance within your knowledge in which capital punishment was inflicted there?—The only one that I know from personal knowledge.

5025. Mr. Christy.] Do you know that the Company are bound under an Act of Parliament to send all cases of capital punishment to be tried in Canada?—Yes, I am aware that they are bound in the sum of 5,000 £, I think.

5026. Do you suppose that that is known in the Red River Settlement?—Perfectly well.

5027. Mr. Grogan.] How is it, then, that the colonists resident on the spot did not remonstrate against this execution?—It is impossible for them to remonstrate there; they are too much under the control of the Company; the Company would stop the supplies.

5028. Mr. Gregson.] Was this man tried by a jury?—He was tried by a jury, without any defence.

5029. Mr. Edward Ellice.] There is no doubt that he shot the man?—The principal witness, Sayer, had first of all given in charge another Indian; certainly, if the man had had counsel it might have been different.

5030. Mr. Grogan.] You spoke of an import duty on goods brought into the colony; was this duty impartially and universally levied on all goods?—There was a distinction between American and English goods.

5031. What

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5031. What do you mean?—A distinction in the way of duty.

5032. In the amount of duty?—In the amount of duty.

5033. There was a differential duty between goods coming from England and those coming from America?—Yes.

5034. But was that duty, whether differential or otherwise, levied equally and impartially on all goods coming from those respective countries—It was.

5035. Was it ever remitted in favour of any of the importers?—It was remitted in regard to the American duty upon those who did not trade in furs.

5036. Explain your meaning?—I mean that those parties who did not trade in furs, or were not supposed to have trafficked in furs, did not pay the same duty upon American goods as the others.

5037. Mr. *Edward Ellice*.] What was the difference?—The difference, I think, came under the same regulation as the English goods.

5038. What was that?—Twenty per cent. in the one case, I think, and four per cent. in the other.

5039. Was 20 per cent. ever levied?—I believe it was. I cannot speak personally from my own knowledge at present.

5040. Mr. *Christy*.] Do you mean to say that a discrimination was exercised as to the amount of duty which should be levied under their tariff?—Yes; the fact of this petition will show it, and that parties protested at the same time when they paid this duty.

5041. Mr. *Gregson*.] Do you mean to say that 20 per cent. was charged in the one case, and only four per cent. in the other?—I think so.

5042. Mr. *Edward Ellice*.] Do you state that from your own knowledge?—I can state that several parties paid this duty. It is very difficult for one at this time, eight or ten years afterwards, to remember all these things; but it strikes me that either the Canadian tariff was levied, or else the 20 per cent.; whether it was the Canadian tariff or the 20 per cent. I cannot clearly state, but I know that some parties paid the English duties and other parties paid the Canadian duties upon the very same goods.

5043. Mr. *Grogan*.] The duty on English goods being less than that charged on American goods, parties who introduced goods from America into the colony, provided that they were not suspected of trading in furs, got them at the reduced rate of duty?—Yes.

5044. And other parties who may have been suspected of having traded in furs were charged a higher rate of duty?—Yes, which they paid under protest.

5045. Was that increased rate of duty imposed arbitrarily, or on the proof of their having traded in furs?—Arbitrarily; upon the mere fact of their being suspected.

5046. On the mere suspicion?—Yes.

5047. Is there any very extensive amount of goods brought into the colony from America?—Not a very large trade; it is principally English goods which are used in the country.

5048. Was there any large extent of goods imported from the American side into the colony?—Not very large; nothing compared with the amount that the settlers got from England.

5049. The principal supply of the colony comes from England?—Yes.

5050. Has any complaint ever been raised in the colony of an inadequate supply of the most necessary goods?—Yes, there have been complaints with regard to an insufficient supply of powder and ammunition, and some other articles, which the Company sent off to the other ports.

5051. For instance, when you were there yourself you got your goods from the Company?—No; the goods came from either the United States or England.

5052. You brought them out on your own account?—I brought them from the United States, and my uncle brought them from England.

5053. If they came from England they must have come by Hudson's Bay, I presume?—Yes.

5054. You gave us a copy of a proclamation some time ago, under which, in the case of parties who were licensed to trade, their goods being sent by the Company's ship to England, those goods were liable to be seized in the event of their violating the stipulation of the licence, namely, not to trade in furs?—Yes.

5055. Do you know any instance in which those goods were so seized?—I

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know an instance in which the goods were not sent; they were detained in London; the order was not complied with.

5056. Do you know of any instance in which they were confiscated by the Company?—I do not.

5057. Mr. Charles Fitzwilliam.] Have you a copy of the American licence to trade?—I have.

[The Witness delivered in the same, which is as follows:]

Know all men by these presents that we, \_\_\_\_\_, in the sum of \_\_\_\_\_ dollars, lawful money of the United States, to the payment of which, well and truly to be made, we bind ourselves and each of us, our heirs, executors, and administrators, jointly and severally, firmly by these presents. Sealed with our seals, and dated this day of \_\_\_\_\_, One thousand, eight hundred and \_\_\_\_\_

The condition of this obligation is such, that whereas \_\_\_\_\_ of Indian affairs; at \_\_\_\_\_ said \_\_\_\_\_ a licence to trade at \_\_\_\_\_ hath this day granted to the place designated for carrying on trade with the \_\_\_\_\_ Now, if the said \_\_\_\_\_ shall faithfully perform all the duties which arise from the laws and regulations which now are or hereafter shall be made for the government of trade, and intercourse with the Indian tribes; if \_\_\_\_\_ not citizen or subject of a foreign power; if \_\_\_\_\_ shall not carry among the Indians any uniform clothing other than that of the United States, nor medals, flags, armbands, or other ornaments of dress, bearing the figures, devices, or emblems of any foreign power; if \_\_\_\_\_ ha \_\_\_\_\_ given to the superintendent a correct invoice of the merchandise which \_\_\_\_\_ take with \_\_\_\_\_; if \_\_\_\_\_ shall not give to any Indian, nor sell to, vend, nor distribute spirituous liquors with the Indians, nor suffer any of \_\_\_\_\_ clerks, engagees, or boatmen, to give to, sell, vend, convey, or distribute any spirituous liquors to or with the Indians; and if \_\_\_\_\_ shall trade at the aforesaid trading establishment, and no other place, and shall in all respects act conformably with the licence granted \_\_\_\_\_ this day, then this obligation to be void; else to remain in full force and virtue.

Signed and sealed in presence of

(L. S.)

(L. S.)

(L. S.)

5058. Mr. Christy.] Will you answer this question, as far as you are able to do so, from your own knowledge: do you think that the Indians are adequately paid by the Company's tariff for the goods which are furnished to the Company in Hudson's Bay?—I do not; I think that they are very inadequately paid; that there is no comparison between the tariff of the Americans and the tariff of the Hudson's Bay Company.

5059. From your having yourself bought furs from the Indians, and knowing something of the trade, you are able to give that opinion as respects the value which you would believe might be given for the furs which the Indians produce?—Yes; I know that I have myself given more than 100 per cent. more than the Hudson's Bay Company; and this document would show even the payment in cash of a contract that I made for furs with the American Fur Company to sell them furs.

5060. Mr. Edward Ellice.] That was when you were illegally trading in the country?—It was when I was legally trafficking there.

5061. In the territory of the Hudson's Bay Company?—Yes.

5062. Your traffic would be against the licence granted by the Crown?—I was not aware of any such; I went there as a British subject, and I considered that in a British colony, the very fact of establishing a British colony extinguished anything like chartered privileges. This paper shows the difference between the American prices and the Hudson's Bay prices (*handing a paper to Mr. Christy*).

5063. Chairman.] Does it relate to exactly the same quality of furs?—The same quality of furs.

5064. Mr. Edward Ellice.] In what locality?—This contract was made at Fort Union, upon the Missouri.

5065. Do

5065. Do the prices which were paid in that case by the Hudson's Bay Company relate to the same locality as the prices which were paid by the Americans?—The same locality.

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[The Witness delivered in the Paper, which is as follows:]

Messrs. M'Dermot and M'Laughlin.

Gentlemen,

Fort Union, 14 March 1845.

In accordance with an understanding made this day with your Mr. John M'Laughlin, I have agreed to receive from you all the furs, &c., you may collect, of the description and at the prices annexed, and to furnish you with 10 boxes good merchantable tobacco, in boxes of 150 lbs. each, at the rate of 15 c. (fifteen cents) per lb., in plugs of eight to the pound, if to be procured conveniently. Mr. M'Laughlin is not prepared to make a positive arrangement until he has again consulted with you; and in the event of your being disposed to carry such into effect, it is understood that you are to send an express to St. Peter's, so as to reach St. Louis in June next, stating where you intend establishing posts, and all other necessary particulars, when a regular contract will be made out, and forwarded to you. The expenses of the messenger from St. Peter's to St. Louis and back, will be defrayed by the Company; but it is understood that the trade is to be carried on with the Indians now north of the river La Sour; the trade to be made in the name of P. Chouteau, jun., & Co.

Respectfully, your obedient servant,  
(signed) K. Mackenzie.

PRICES OF FURS.

American Fur Company.		Hudson's Bay Company.		American Fur Company.		Hudson's Bay Company.	
\$. c.		s. d.		\$. c.		s.	
Otter skins	3 50	6	—	Seasonable robes	2 50	5	—
Fisher skins	2	2	—	Summer robes	1 25	—	—
Martin skins	1 75	2	—	Yearling robes	75	—	—
Mink skins	40	10	—	Parchment skins	10 per lb.	—	—
Lynx skins	2	2	—	Wolf skins	75	2	—
Wild cat skins	40	—	—	Red fox skins	1	2	—
Musk rat skins, prime	10	3	—	Cross fox skins	3	—	4
Black bear skins	3 50	7	—	Silver fox skins	15	—	10
Black cub skins	2	4	—	Prairie or Kitt fox	25	—	—
Brown bear skins	4 50	7	—	Beaver	3 25	6	—
Brown cub skins	2 50	2	—				

5066. Mr. Christy.] From your own knowledge, assuming that you have yourself traded in furs within the limits of the exclusive territory of the Hudson's Bay Company, do you believe that the low price of which you have spoken, given to the Indians as a remuneration for their hunting, is productive of this illicit trade, or smuggling trade, as we may say?—I think so naturally; it is the very great remuneration which induces it.

5067. Do you think then that the furs are better paid for, at a higher rate by those persons who obtain them illegally, if I may use the term, or contrary to the proclamation of the Hudson's Bay Company, than those of which the Company possess themselves?—Invariably; they pay more to get them.

5068. Just explain that?—They invariably pay more for their furs to the Indians so as to procure them at a certain price; and that which they can sell them at is quite enough for their venture.

5069. Mr. Grogan.] Are the half-breeds at the Red River Settlement aware of that difference in price for the furs as paid by the Hudson's Bay Company and the American Companies?—They are perfectly aware of it.

5070. Is it to that knowledge that is any way to be imputed the dissatisfaction (the ferment, I think, was the word which you used), which has prevailed in the colony at times?—That is one of the causes; that and prohibiting them altogether from adopting that mode of traffic.

5071. Are the native Indians aware of that difference?—They are; and whenever they can get an opportunity they sell their furs at the outposts.

5072. Chairman.] Has the American Fur Company any exclusive privileges

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of any kind?—No; any person can get a licence who can get sufficient security with regard to spirituous liquors.

5073. Can any American engage in the fur trade without belonging to the American Fur Trade Company?—Any American can do so.

5074. A licence is given to every one who applies who will comply with the terms of the licence?—Yes.

5075. By whom is that licence given?—By an Indian Commissioner appointed for the purpose at the different points. There is one at Fort Snelling, another off on the Missouri, and so on, taking the line of Indian country.

5076. Do those commissioners act under the general Government, or under the State Government?—Under the general Government.

5077. Mr. *Christy*.] Do you think that where an unrestricted trade is carried on, the barter consists improperly of spirits; I am speaking now of the American Fur Company?—I think that very little spirits get into the American territory at all; I have travelled a good deal among them, and been at their posts, and at different places among the Indians, and I never saw spirits yet among the Americans.

5078. Do you believe in the statement which has been frequently made, that a greater amount of spirits is given in exchange for furs on the American side of the boundary, than is given on the northern or Hudson's Bay side of the boundary?—I think much more is given by the Hudson's Bay Company in the district of country which I am acquainted with; of course I could not speak outside of a certain point. I could not speak of the westward of the Missouri, but I could speak of that portion of the country from Lake Superior to the Missouri.

5079. I do not want any comparison in this question which I am putting to you, but I want an impartial opinion if I can obtain one, based upon your own knowledge; I understand you to say, that where the trade is unrestricted, the improper use of spirits does not exist as a matter of barter for furs?—It does not exist in that portion of the country which I am acquainted with in the Indian territory.

5080. *Chairman*.] Are you at all cognisant of the warfare of a very destructive character which has been carried on between the white man and the red man during the last few years, in the territory of the United States?—I am perfectly aware of it; it has not been occasioned by the fur trafficking, but by travelling to California; it has not been in the fur countries.

5081. In what way has it been occasioned by the travelling to California?—By so many different characters going across and getting into conflict with the Indians; doing many things to insult them; but it is very seldom that such contests have occurred in my time. An occasional case has occurred, of course.

5082. Where do you mean; in the United States?—I mean in the United States; you must travel through a great portion of the United States, when you are leaving the Red River, to reach St. Peter's.

5083. Those scenes of bloodshed and carnage have been of a very shocking description, have they not?—So I understand, in the route to California.

5084. And they have spread very extensively through the Indian tribes in that district, have they not?—I dare say they have.

5085. During all that time there has been perfect peace on our side of the frontier, has there not?—There has not been the same sort of traffic; the country has not been opened to the Oregon territory through our country, and the tribes are of a different description entirely. They are rather a peaceable race. All those Indians northward are quite a different race from the Black Feet, or the Mandans, or the Sesuterie, Sioux, or any of those tribes. The Chippewas are as peaceable a race as possibly can be in the American territory about Minnesota. The Sioux, immediately in the district of Lacque Parle, and about there, are a very peaceable race, and there is no danger to be apprehended from them.

5086. Mr. *Edward Ellice*.] Are you aware of the bloodshed which has lately been taking place in Minnesota?—I am not aware. I have not had much communication latterly with it.

5087. *Chairman*.] Have you no apprehension that if white men of all characters and descriptions were allowed indiscriminately to trade with the Indians throughout the whole of this extensive territory, there might arise disputes and causes

causes of quarrel between them and the Indians which might lead to very disastrous results of the same description?—I think not, by proper legislation.

5088. You think that, even under those circumstances, it would be possible to devise a system which would maintain law and order throughout the whole of that immense territory?—I think it could be done easily from the Red River point.

5089. In what way, starting from the Red River point, would you devise a system which would maintain law and order under the circumstances which I have mentioned, through the whole of that enormous territory?—You cannot settle that country in a day; it must be done gradually. Any settlement from Canada must come up naturally, and very gradually indeed.

5090. I am speaking of a state of things in which, without settlement, there would be fur traders scattered throughout the whole of this country, subject to no responsibility except their own individual responsibility?—I apprehend no such thing if it were only from the traders; if it were open to competition with every one. I might if there were two powerful companies pitted against each other.

5091. Why should not the same effects be produced in Canada which you have stated were produced in the United States when the travellers to California got among the Indians?—On account of the difference of race.

5092. Do you mean the difference of race of the Indians?—Yes.

5093. Do you think that the Indians to the north are not so warlike, and not so likely to resent injury, as the Indians in the United States?—No; they are entirely a different race of Indians.

5094. Are not some of the northern Indians of a very warlike character?—No, except a portion of the Assiniboines, who sometimes come in contact with the Sioux, or Black Feet; the others are very peaceable. With regard to the whites they live in perfect terms of peace.

5095. Mr. Grogan.] Was there any feeling in the colony when you were there in respect to American citizens coming and squatting on the English ground?—No; at that time Pembina was not settled. When I was there there was nothing but a mere trading post. But no doubt, if the country is not in some way or other under the control of the British Government, it will be the case.

5096. Do you know anything about the west side of the Rocky Mountains; have you been there?—I know nothing of the country to the westward of the Rocky Mountains.

*Luna, 15<sup>e</sup> die Junii, 1857.*

MEMBERS PRESENT :

Mr. Blackburn.

Mr. Christy.

Mr. Edward Ellice.

Mr. Charles Fitzwilliam.

Viscount Goderich.

Mr. Gregson.

Mr. Grogan.

Mr. Kinnaird.

Mr. Labouchere.

Mr. Lowe.

Mr. Matheson.

Sir John Pakington.

Mr. Roebuck.

Viscount Sandon.

THE RIGHT HON. HENRY LABOUCHERE IN THE CHAIR.

*Richard Blanshard, Esquire, called in; and Examined.*

5097. *Chairman.*] I BELIEVE you have had opportunities of becoming acquainted with Vancouver's Island?—I was there nearly two years.

5098. In what capacity?—I was Governor.

5099. Were you the first Governor?—I was the first Governor.

5100. By whom were you appointed?—By Her Majesty.

5101. At what time was that?—I left England in 1849.

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5102. Was

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11 June 1857.

*R. Blanshard, Esq.*

15 June 1857.

R. Blanshard, Esq.

15 June 1857.

5102. Was Vancouver's Island at that time in any manner connected with the Hudson's Bay Company?—The grant to the Hudson's Bay Company I think is dated in 1848.

5103. So that you were the first Governor of Vancouver's Island after that grant?—I was; there was some delay I believe in appointing a Governor.

5104. You say that you were appointed by the Crown; in what relation did you conceive yourself to stand to the Hudson's Bay Company?—In none whatever.

5105. What was your impression of the soil and climate of Vancouver's Island, with reference to its adaptation for the purposes of settlement?—My impression was that it was very well adapted for an English settlement. The climate was very good and very temperate, and it seemed to be neither subject to the extremes of heat nor of cold. A great portion of the soil seemed to be very fertile; there was a good deal of rock; there was a high range of rocky mountains in the centre of the island. The eastern part of the island, especially next the American continent, is very well adapted for cultivation.

5106. It is well covered with timber, I believe?—It is.

5107. Fine timber?—Large pines principally; there is a little oak, but I fancy there is very little.

5108. Did you go much about the island while you were there?—Not a very great deal.

5109. Is it difficult to travel in the island?—Very difficult; there were no facilities for travelling except by canoes; the forests were exceedingly thick, and very little was known of the interior.

5110. Do you mean that it is a sort of jungle difficult to get through?—The pine forests are filled with underwood and brambles.

5111. Did you at all visit the adjacent country on the main land?—Only once; that was at Nisqually, in the United States territory.

5112. Do you know the country about Frazer's River?—No, I never was there.

5113. Did you hear enough of that country to be able to express any decided opinion of its capabilities for settlement?—I have heard it very highly spoken of by everybody who has been there, as being extremely fertile, and a soil of much the same quality as in Vancouver's Island.

5114. What were the number of European settlers in Vancouver's Island at the period when you left it?—Of *bona fide* settlers, I suppose, about 30.

5115. Do you mean including the servants of the Hudson's Bay Company?—No, without including the servants of the Hudson's Bay Company; I mean people who were settled there, or servants of the Company who had purchased land.

5116. Were there none of those who were actually in the service of the Hudson's Bay Company at that time who occupied land there?—Very few.

5117. What is the disposition and character of the Indians in Vancouver's Island?—They are principally what you may call fishing Indians; they are a very low degraded race; very few of them are hunters.

5118. What are their means of subsistence?—Principally fishing.

5119. The fisheries are very abundant I imagine?—The fisheries are very abundant there. The means which the Indians have of taking fish are extremely rude; very clumsy hooks and lines; but still they get a very large supply of fish.

5120. What are the fish which they catch?—Salmon, halibut, herrings, and a fish called the woolikan, which is very much the same as the pilchard.

5121. Had you any opportunity of forming an opinion of the productiveness of the coal mines of Vancouver's Island?—The coal mines which are now worked at Nanaimo were not discovered while I was there; there was a small quantity found up at Fort Rupert, and some miners were sent out; but the accounts which had been sent to England of these coal mines were so very much exaggerated that they soon gave over working them; the coal, which had been reported to be three feet thick, was in reality only about 15 or 16 inches; it had been found cropping out of a bank, and the Indians had dug out small quantities with their axes, with very great labour.

5122. To what do you attribute the very limited resort of settlers to Vancouver's Island, which took place while you were there?—I think, in a great measure, to the restrictions which there were upon their obtaining land.

5123. What was the nature of those restrictions?—The high price.

5124. What

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5124. What was the price?—A pound an acre.

5125. Is not 1 £. an acre the price generally charged for land in the colonial possessions of England?—It is in some parts; I believe it is in some parts of Australia; but it is not so in Canada or in New Brunswick.

5126. Do you think that a low price of land, as a general system, is advantageous to a colony?—Perhaps hardly so low as it is sold in some of the North American colonies; but still 1 £. an acre is very high, because it is far higher than it is sold in the United States immediately adjoining.

5127. Mr. Grogan.] Can you state the rate at which the land is sold in the United States?—They were making free grants in Oregon.

5128. Viscount Goderich.] You say that one of the great obstructions to settlement was the price of land; were there any other difficulties besides the price in the way of obtaining land in Vancouver's Island?—There was also a condition in the land sales that every purchaser of 100 acres should bring out five labourers from England, which of course to people who purchase it on the spot is an insuperable bar.

5129. Were there facilities afforded for persons obtaining information as to the price of land and the position in which it could be purchased, and things of that kind; supposing a settler went to Vancouver's Island from California, could he obtain that information with facility?—No, I really do not know where he would have obtained it.

5130. Did you ever hear of any instances of difficulties of that kind?—Yes; I remember that a man came from California who had been digging there; he was an Englishman, from some part of Cheshire; I think his name was Chamberlain, if I recollect rightly.

5131. Mr. Edward Ellice.] Chancellor.—Chancellor, his name had quite escaped me. He said that he had been digging with a party of Englishmen, who were still in California, and that they had sent him to know upon what terms land was to be got in Vancouver's Island, with the idea of coming there and settling; that they wished to remain as British subjects. After being there for about a week he came to me and said that he was quite unable to obtain any information of any kind.

5132. Mr. Roebuck.] Was there any survey of the island, or of any part of the island?—I believe some portion of it has been surveyed since.

5133. But was there any when you were there?—Very little; there had been a survey of their own claim, commenced by the Hudson's Bay Company.

5134. What do you mean by a "survey of their own claim"?—There was a portion of land which they marked out which was claimed by themselves. I think it was supposed to contain 10 square miles.

5135. In what part of the island was that?—Round Fort Victoria.

5136. And that they claimed as their own property?—That they claimed as their own property.

5137. I thought that all the island was conceded to them?—True, but then it was on condition of selling the land; this they claimed as their own reserve.

5138. And this they would not sell?—This they did not intend to sell.

5139. They would not sell it?—They would not sell it.

5140. Was that round any part which was settled?—It was where the only settlement was except at Fort Rupert.

5141. And they refused entirely to sell that land?—They refused to sell it.

5142. Was that no obstruction to colonisation?—I should say that it was a very great one.

5143. Mr. Grogan.] Was there any money paid to the Colonial Exchequer for that ten miles of land by the Company?—I do not know whether any has been paid since; there was none paid at the time.

5144. At the time of which you speak, the Company exercised the right of not selling any part of that land, or allowing any settler to purchase it?—Yes.

5145. Were there any of their own servants located on that ten miles?—Yes, two or three.

5146. Did they purchase the land from the Company?—That I really cannot tell. I never heard of any money being paid.

5147. Mr. Roebuck.] Have you a copy of your commission; I suppose you had a commission?—I lost all my papers coming home, in the River Chardress; they were under water for several hours. I still have the parchment of my



*R. Blanshard, Esq.* commission, but it is illegible. I imagine that there are copies in the Colonial Office.

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5148. *Viscount Goderich.*] What salary did you receive from the Company as Governor of Vancouver's Island?—None whatever.

5149. Did you receive no remuneration for your services in that capacity?—Nothing whatever. I was promised 1,000 acres of land when I went out.

5150. *Mr. Roebuck.*] By whom?—By Sir John Pelly, who was then the Governor of the Hudson's Bay Company. When I was leaving the island, a servant, who had gone with me from England, was rather anxious to remain there as a settler, and I claimed 100 acres of those 1,000 acres. Mr. Douglas, who was the agent for the land there, nominally evaded giving me any kind of title to it, and said that I should get it more easily settled in England. The Hudson's Bay Company declined to make it over to me, and said that those 1,000 acres of land were merely intended for the Governor for the time being.

5151. So that he was to enjoy the wild waste while he lived there?—Exactly so.

5152. And to get no property in the land?—Yes.

5153. Were you given to understand that when you went there?—No, certainly not, because Sir John Pelly had told me that I might select such portions of land as I thought would turn out valuable, and that they would sell advantageously.

5154. Have you any evidence that Sir John Pelly said that: have you any writing?—It is merely what passed between him and myself.

5155. He did not put it upon paper?—He did not.

5156. Had you any salary from the Crown?—None whatever; the charter to the Hudson's Bay Company provided that they should pay all civil and military expenses.

5157. Had you no salary from the Hudson's Bay Company?—None whatever.

5158. So that you passed your two years there and got nothing by it?—Nothing whatever. All that I ever received from the Hudson's Bay Company was 175 *l.* for my passage out there, and it cost me about 300 *l.*

5159. Did anybody pay your passage back?—I had a free passage as far as San Francisco by a sloop of war; the rest of the passage was at my own expense.

5160. *Chairman.*] Do you mean that you accepted the governorship of this colony, with the understanding that you were to get nothing whatever for your services in that respect?—Nothing at the first beginning. I was certainly led to believe that colonial settlers would flock out there; that all facilities would be given to them; and that of course as the colony increased a civil list would be formed; that the land sales and the royalties on the coal would produce a considerable colonial revenue.

5161. *Mr. Grogan.*] And those expectations, with the grant of 1,000 acres of land, to be selected by yourself, were your inducements for going to the colony?—Just so, and moreover I also hoped that my services would be considered by Her Majesty's Government afterwards.

5162. *Viscount Goderich.*] Did you find living there cheap or dear?—It cost me as nearly as possible 1,100 *l.* a year to live there; the price of everything was regulated by that in California, and as the gold fever was then at its height, living there was of course extremely expensive.

5163. I believe that the Hudson's Bay Company's servants receive their goods at a cheaper rate than the rest of the colony, do they not?—I think they had three several prices in the Hudson's Bay Company's stores at that time, one for the superior officers of the Company, another for the servants, and a third; which they called their cash price, at which they sold the goods to settlers.

5164. Can you state to the Committee the difference between those three prices?—The officers received their goods at 33 per cent. increase upon the cost price, the servants and inferior officers varying from 50 to 100, and the cash price was regulated by the price in California, as nearly as they could do it.

5165. How much was that?—Generally about 300 per cent.

5166. You being Governor of Vancouver's Island, at which of those prices did you purchase your goods?—At the cash price, as a stranger.

5167. That is at about 300 per cent. over the cost price?—Yes.

5168. *Chairman.*] Do you think that the gold fields in California had nothing

nothing to do with preventing settlers from going to Vancouver's Island, who might otherwise have gone there?—I doubt it very much. R. Blanshard, Esq.

5169. Why so?—I think that there were a great many Englishmen in California, who after they had collected a little gold there would have flocked over to Vancouver's Island, as settlers, wishing to remain British subjects. 15 June 1857.

5170. Mr. Christy.] Do you think that the discouraging accounts which came to this country from Vancouver's Island, soon after your going there, materially operated against the colonisation of that island?—I never heard of it.

5171. Do you think that the accounts which were known in England, perhaps from yourself, and from other people, did not operate as a discouragement to persons going out to settle in Vancouver's Island?—I hardly think so; they may have done so, certainly.

5172. Mr. Grogan.] I understood you to say that a gentleman of the name of Chancellor came to Vancouver's Island, on the part of some Englishmen, to look for land?—That was his account.

5173. And he failed to get any information sufficiently satisfactory to warrant their going there as English settlers?—Yes.

5174. Was not that a discouragement to those settlers, or would-be settlers, to go there?—He went back to California, and I apprehend that he would carry that account with him.

5175. I understand your answer then to be that you are not aware that the discouraging accounts from Vancouver's Island discouraged settlers from this country?—Yes.

5176. Mr. Christy.] That did not come within your knowledge at all?—That is so.

5177. Living there, you did not hear of it?—Just so.

5178. Viscount Goderich.] Might not you, when you found that you paid this large per-centage upon goods, have exported goods yourself from England in the Hudson's Bay Company's ships?—I believe that nominally I might have done so, but still there was great difficulty about it, because my agents in London found that they could never ascertain at what time the Hudson's Bay Company's ship sailed.

5179. Did they take any pains to ascertain it?—By inquiry at the Hudson's Bay House, where they were promised that they should have due notice of the ships as they sailed, and the next thing they generally heard was that the ship had gone. That happened on two occasions, and as the ships did not go very often, missing two ships running was rather a serious thing to a man who depended for his supplies upon England.

5180. Mr. Roebuck.] By what Colonial Minister were you appointed Governor?—By Lord Grey.

5181. What previous knowledge had you of colonisation or colonial government?—I had been in one or two of the West India islands; I had been in British Honduras, and I had been in India.

5182. And upon the ground of the experience which you there gained, you thought that you could make a good Governor of Vancouver's Island?—I saw no reason to believe the contrary.

5183. When you got to Vancouver's Island, had you anything to do?—Very little indeed, except to regulate the disputes between the Hudson's Bay Company's officers and their servants.

5184. So that, in fact, as far as government was concerned, you had no duties to perform?—None whatever, except as an ordinary magistrate, to decide the disputes between the Hudson's Bay Company's officers and servants.

5185. Were there many of those disputes?—A great many.

5186. On what ground?—Discontent among the servants.

5187. At being ill-treated by the Company?—They considered themselves ill-treated; that they had been brought out there under a delusion, and had been promised many things which were not fulfilled.

5188. Did you investigate those complaints?—Yes.

5189. Did you find them at all well founded?—Some were, and some were not; there was a great deal of dissatisfaction among the people.

5190. Was it well grounded?—A good many complaints were.

5191. What was the sort of complaints; did they say that they were promised land?—No, they were not promised land, but they were promised a great many comforts and conveniences, and were led to expect a far more com-

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portable life, and higher wages than they received; but still they were all there under agreement.

5192. So that, in fact, it was no colony at all?—It was nothing more than a fur trading post, or very little more.

5193. Was there any fur hunting on the island?—Very little indeed.

5194. Is the island capable of bearing wild animals fit for hunting?—There is a good deal of game on it; deer.

5195. I suppose it is a trading post?—It is more of a trading post; a depôt for the posts in the interior.

5196. As regards any colonisation of the island, there was no attempt made on the part of the Company to do that?—Very little indeed; they brought over cattle from Oregon, and they had cultivated a little land round the fort.

5197. But as far as their influence went it prohibited colonisation?—I should say that it did.

5198. Viscount *Goderich*.] Can you give the Committee any more details as to the state of the Indians on the island, and the mode of the Company in dealing with them?—The Indians were always very kindly treated by the Hudson's Bay Company.

5199. There were cases (I do not know whether they occurred while you were there) of persons being murdered by Indians?—There were three men murdered while I was there; they had run away from Fort Rupert, with the intention of getting on board a vessel which was then taking in coal, to carry it to California; these three men were murdered a few miles from Fort Rupert by the Indians.

5200. What steps did you take in consequence: was any punishment inflicted upon the Indians?—Some time afterwards there was a sloop of war there, the "Daphne;" and I requested the Admiral on the station to leave her there for a short time, till I could take some steps for apprehending those Indians.

5201. Mr. *Roebuck*.] You have been asked what induced you to go out: what induced you to leave Vancouver's Island?—Partly ill health, and partly the great expense which I was put to, which I was certainly unprepared for.

5202. Had you any successor?—A successor was not appointed while I was there; but I received a letter from the Hudson's Bay Company, stating that Mr. Douglas had been recommended to the Government as my successor, and they expected that he would be appointed Governor.

5203. Did you leave the island before he arrived?—He was there at the time. I nominated a council, that is to say, three members, which was the smallest that could form a quorum, of which I appointed him the senior member.

5204. Would any great mischief have happened if there had been no Governor at all?—There would have been a great deal of quarrelling; it was necessary that somebody should be at the head; that there should be some kind of law on the island, and to enforce it.

5205. Was not there a Company's servant there?—Yes; but there were people there who were independent of the Company then, and they would not take the law from him.

5206. How was justice administered: was there a recorder, or anybody to administer justice?—I did it all myself; I had no means of paying a recorder a salary; there were no colonial funds.

5207. I suppose you were not cognizant of the law: you were not brought up to the law, were you?—I had been called to the Bar.

5208. And in that capacity you administered justice there?—Yes.

5209. So that you were Governor and justice. Had you constables?—Yes. When I wanted a constable, I swore one in.

5210. Viscount *Goderich*.] Did you ever have a dispute with Mr. Douglas about the register of a ship?—Yes.

5211. Will you state to the Committee the circumstances of that dispute?—It was a schooner, I think, called the "Cadborough," and the master of her, who had just been appointed, brought me the register, and said that he was not at all satisfied with the alteration which had been made in the register, and he asked whether the Hudson's Bay Company's servants had any right to make these alterations. On referring to the Navigation Act, I concluded that they had not, and I told him so. However, the next day, or the day after that, he went to sea without seeing me on the subject.

5212. Mr. *Edward Ellice*.] The "Cadborough" was the property of the Hudson's Bay Company?—She was.

5213. Mr.

5213. Mr. Charles Fitzwilliam.] Was the register properly signed at the time she went to sea?—She went to sea with the register signed by Mr. Douglas. R. Blanshard, Esq.

5214. Had he any authority whatever to sign it?—None whatever. I told the master this, and told him that if he would bring me the register I would sign it. 15 June 1857.

5215. He did not bring the register?—He did not bring the register.

5216. You were the only person on the island with authority to sign the register of the ship?—I was.

5217. So that Mr. Douglas signed that register illegally?—He did.

5218. Mr. Roebuck.] Was that before you had given the Company to understand that you would resign?—Before it was known there.

5219. Mr. Charles Fitzwilliam.] You were still acting as Governor?—I was still Governor.

5220. Mr. Roebuck.] Mr. Douglas did not consider himself then your *locum tenens*?—He was not my *locum tenens* in any manner, nor was he even a member of the Council.

5221. Mr. Edward Ellice.] Do you know what register the ship had previously sailed under?—The same register which had been signed over and over again, on every change of masters, by the resident chief factor of the Hudson's Bay Company.

5222. Mr. Roebuck.] Was Mr. Douglas resident chief factor?—He was.

5223. So that he merely did what his predecessors had done?—Yes.

5224. Mr. Charles Fitzwilliam.] Although the condition of the island was completely changed?—Yes.

5225. The island was not before considered as a colony?—There was no authority in the island before to sign the register, but it had always been signed by the chief factor; I believe it is customary under the Navigation Act.

5226. When the "Cadborough" came back, what course did you pursue?—I sent for the master and ordered him to produce his register, and on its being produced, I pointed out to him that it had been illegally signed, and I summoned both him and Mr. Douglas to account for it.

5227. In what way; before what tribunal did you summon them?—Before myself.

5228. Did you bind them over in any way to appear?—I bound them over to appear if called upon.

5229. What surety did you take?—Their personal security.

5230. Mr. Roebuck.] Were they ever called upon?—I imagine not, for I left the island very shortly afterwards.

5231. Mr. Christy.] Is the character of the native tribes in Vancouver's Island warlike?—In the north they are a very fierce and warlike set; about Fort Rupert.

5232. From your own knowledge, can you say so; did you come in contact with any of the tribes?—They were the same Indians who had murdered the three sailors.

5233. What was their character?—They were a hunting tribe, and they were considered one of the most warlike tribes, for a small tribe, on the whole coast.

5234. Were the Company's servants, or you as Governor, or persons under your control, at all thrown in communication with these Indians?—They used to visit the trading post at Fort Rupert continually to trade in furs.

5235. Did they exercise any control over them?—None whatever.

5236. Mr. Roebuck.] But were those Indians any obstruction to colonisation?—The northern part of the island, I think, they have never attempted to colonise; it is merely a fur-trading post, and they do not go very far from the walls.

5237. But would any settlers be afraid of the Indians?—I should fancy not.

5238. In fact, those Indians are no obstacle to the colonisation of the island?—No. In fact, down in the south, about Fort Victoria, they are very useful.

5239. Have you had any experience of the red man on the continent of America?—Not in North America.

5240. You are not aware that he invariably disappears as the civilised man comes on?—I cannot say so from my own knowledge, but I believe that it is a well-known fact, and it would be the case in Vancouver's Island.

5241. Then if colonisation were to take place in Vancouver's Island we should hear very little more of the Indian?—Very little more.

—5242. In fact, though it may seem to be an inhuman statement to make, the sooner they get rid of the Indians the better?—I believe it is what the United States' people call improving them.

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5243. Improving them off the face of the land?—Exactly so.

5244. *Mr. Christy.*] Do the Hudson's Bay Company provide these Indians with arms and ammunition for the purpose of hunting?—They sell them a large quantity of arms and ammunition in Vancouver's Island; not only for the purposes of hunting, but for warlike purposes and for purposes of self-defence. The Indians are very well supplied with fire-arms there, and of a very excellent quality.

5245. *Viscount Goderich.*] Do you think that that conduces to the safety of a small white community?—I do not think that it at all conduces to it.

5246. *Mr. Roebuck.*] In taking into view the colonisation of Vancouver's Island the Indians would not enter as an item of consideration at all, would they?—They are very useful at first; they have no objection to hire themselves as labourers.

5247. Supposing that you had anything like a colony there, the colony would take no regard of the Indians; the Indians would not be an item of consideration, would they?—Do you mean as an enemy.

5248. In any way?—Yes; I think while they remained there they would find them very useful.

5249. So that, so far from their being an obstruction to colonisation, you think that they would be an assistance?—Yes.

5250. I suppose they have no settled habits?—Yes; at Victoria there is a large Indian town which they inhabit during a great part of the year; there are well and heavily built wooden houses.

5251. All populations living upon fish are usually degraded populations, are they not?—So far as my knowledge and experience go.

5252. These Indians do not live upon hunting?—No; very few of them live on hunting.

5253. The island does not afford the means of doing so; there are no buffalo?—There are no buffalo.

5254. Do they subsist entirely by fishing?—Almost entirely; they kill a few deer, occasionally, and smaller animals.

5255. What boats have they?—Canoes cut from single trees; principally from pine.

5256. Are they of a rude description?—No; they are very well constructed, and some of them of a very large size.

5257. Do they trade with one another, or with anybody else; have they anything to trade in?—Nothing but furs and fish.

5258. Furs they cannot get upon the island?—No.

5259. Fish they catch in the sea?—Fish they catch in the sea.

5260. Have they any consumers; anybody to whom they can trade that fish?—Merely the Hudson's Bay Company and the settlers.

5261. *Mr. Grogan.*] You stated that there were about 30 independent settlers in the island when you were there?—About that.

5262. Do they rear any quantity of corn or produce more than they require for their own consumption?—They had only just commenced settling then, and there was no corn produced, except on the land of the Hudson's Bay Company.

5263. They did not feel any want then of a market?—They did not then.

5264. During the time that you were Governor did you hear any complaints made that the produce exported from Vancouver's Island to San Francisco was under a heavier duty than the American produce from the opposite side of the Sound?—I do not remember hearing it said so, but I do not think that there was any produce exported then except a cargo or two of lumber, and I do not remember hearing what duty was charged upon it. The wheat that was grown was not sent to San Francisco; it was generally sent to Sitka, and sold in the Russian territory.

5265. *Mr. Gregson.*] Were there any settlers in Vancouver's Island with their families?—There was a Scotch family of the name of Muir.

5266. Only one family?—That was all that I remember. There was a Captain Cooper and his family, and there were one or two others, whom I do not remember, but not any very great number.

5267. *Viscount Goderich.*] When you speak of there being 30 independent settlers, do you mean settlers of the description which Mr. Cooper called free settlers, not being servants of the Company?—Not being servants of the Company.

5268. There

5268. There were as many as 30:—About 30, I think. Just before I left the island I received a memorial from them concerning the appointment of the next Governor, of which some rumour had crept out, and it was signed by all of them. I laid that memorial before the Colonial Office when I returned to England, and I think it contains a list of every settler.

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5269. Mr. Roebuck.] And does it contain a statement of their grievances: what was the memorial about?—I sent the original in to the Colonial Office; but I think I can produce a copy of it.

[The Witness delivered in the same, which is as follows:]

To His Excellency Richard Blanshard, Esquire, Governor of Vancouver's Island.

May it please your Excellency,

We, the undersigned, inhabitants of Vancouver's Island, having learned with regret that your Excellency has resigned the government of this colony, and understanding that the government has been committed to a chief factor of the Hudson's Bay Company, cannot but express our unfeigned surprise and deep concern at such an appointment.

The Hudson's Bay Company being, as it is, a great trading body, must necessarily have interests clashing with those of independent colonists. Most matters of a political nature will cause a contest between the agents of the Company and the colonists. Many matters of a judicial nature also, will, undoubtedly, arise in which the colonists and the Company (or its servants) will be contending parties; or the upper servants and the lower servants of the Company will be arrayed against each other. We beg to express in the most emphatical and plainest manner, our assurance that impartial decisions cannot be expected from a Governor, who is not only a member of the Company, sharing its profits, his share of such profits rising and falling as they rise and fall, but is also charged as their chief agent with the sole representation of their trading interests in this island and the adjacent coasts.

Furthermore, thus situated, the colony will have no security that its public funds will be duly disposed of solely for the benefit of the colony in general, and not turned aside in any degree to be applied to the private purposes of the Company, by disproportionate sums being devoted to the improvement of that tract of land held by them, or otherwise unduly employed.

Under these circumstances, we beg to acquaint your Excellency with our deep sense of the absolute necessity there is, for the real good and welfare of the colony, that a council should be immediately appointed, in order to provide some security that the interests of the Hudson's Bay Company shall not be allowed to outweigh and ruin those of the colony in general.

We, who join in expressing these sentiments to your Excellency are unfortunately but a very small number, but we respectfully beg your Excellency to consider that we, and we alone, represent the interests of the island as a free and independent British colony, for we constitute the whole body of the independent settlers, all the other inhabitants being in some way or other so connected with and controlled by the Hudson's Bay Company, as to be deprived of freedom of action in all matters relating to the public affairs of the colony, some indeed by their own confession, as may be proved if necessary. And we further allege our firm persuasion, that the untoward influences to which we have adverted above are likely, if entirely unguarded against, not only to prevent any increase of free and independent colonists in the island, but positively to diminish their present numbers.

We therefore humbly request your Excellency to take into your gracious consideration the propriety of appointing a Council before your Excellency's departure, such being the most anxious and earnest desire of your Excellency's most obedient and humble servants, and Her Majesty's most devoted and loyal subjects.

(signed)

James Yates, Landowner.

Robert John Staines, Trinity Hall, Cambridge,  
Chaplain to the Honourable Hudson's Bay  
Company.

James Cooper, Merchant and Landowner.

Thomas Monroe, Lessee of Captain Grant's  
Land at Sooke.

William M'Donald, Carpenter and Householder.

James Sangster, Settler.

John Muir, sen., Settler, Sooke.

William Fraser, Settler, Sooke.

Andrew Muir, Settler, Sooke.

John M'Gregor, Settler, Sooke.

John Muir, jun., Settler, Sooke.

Michael Muir, Settler, Sooke.

Robert Muir, Settler, Sooke.

Archibald Muir, Settler, Sooke.

Thomas Blinkhorn, Settler, Michonsan.

5270. Mr. Christy.] You spoke of the settlement of Oregon; do you know anything of the way in which Oregon was colonised or settled?—Some portion of it was settled by the servants of the Hudson's Bay Company; some few of them.

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5271. Can you give us any information with respect to that?—No, except that I have heard that very little had been done there until there was a great influx of Americans; a large influx of Americans took place before the boundary was defined.

5272. Was there any communication between Vancouver's Island and Oregon?—A schooner of the Hudson's Bay Company used to pass occasionally between Nisqually and Fort Victoria.

5273. Did you ever hear of Dr. McLaughlin?—Yes.

5274. Are you aware what part Dr. McLaughlin took in the settlement and colonisation of Oregon by the people of the Hudson's Bay Company?—I have really heard such different accounts about it that I scarcely know what the truth is; by some people he is declared to have been the father of the country, and to have settled it largely at his own expense; by others he is declared to have discouraged anything of the kind.

5275. Viscount *Goderich*.] Do you know Mr. Cooper, who gave evidence before this Committee?—Yes.

5276. Do you think that his evidence upon the state of Vancouver's Island is likely to be valuable?—He was there as a merchant and as a landholder, and he was also a member of the Council; he should have had good opportunities of forming an opinion.

5277. Mr. *Roebuck*.] At what time of the year did you arrive at Vancouver's Island?—I got there in the beginning of February or the end of January.

5278. That was in the middle of winter?—In mid-winter.

5279. What was the state of the climate at that time?—There was about a foot of snow on the ground.

5280. How long did that last?—Only for a few days.

5281. When did the spring come?—The spring commenced about April or May.

5282. What sort of weather was there during the winter; was there snow and frost upon the ground all the time?—The winters are comparatively mild there; there are occasionally heavy falls of snow, but it seldom lies for any long time.

5283. Mr. *Christy*.] Do you consider that the climate is as good as that of England?—On the whole, I should say that it was milder.

5284. Mr. *Grogan*.] Am I to understand you to say that Victoria is the only settlement on the south part of the island?—There was a small settlement at Sooke.

5285. But Victoria is the principal settlement on the south part of the island?—The principal one.

5286. And round Victoria, for a distance of 10 square miles, is considered as the property of the Company?—It was then; it was so laid down.

5287. Then when you speak of the island being well adapted for settlement, you are alluding to that part of it outside that district?—That is naturally the first place which would be colonised.

5288. You stated that you believed the island to be a good location for a colony; I want to know to what exactly you referred?—A mile or two west of Victoria there is a much finer harbour; the one at Victoria is exceedingly bad, and very difficult of access; there is a far larger and better harbour, called Esquimaux, which appeared to me to be the best place for commencing a colony.

5289. Is that included within the 10 square miles?—That was claimed on behalf of a company called the Puget Sound Company, the existence of which I never could exactly make out.

5290. Was it considered in the island that that Puget Sound Company and the Hudson's Bay Company were the same body, only under different names?—Everybody declared so; I could never discover any difference between them.

5291. You mentioned to us that travelling through the island was difficult, owing to the forests of underwood; do you wish to convey the impression that it is so thick a jungle that there would be great difficulty in clearing the country for settlement?—There are large plains, which are more adapted for colonisation, as well as these belts of forest.

5292. The forest goes as it were in a belt across the island; but unincumbered by wood, there still is a large fertile plain well adapted for colonisation?—The aspect of the country is a pine forest, interspersed with occasional open plains.

5293. Then the wooded part to which you have alluded as being difficult to travel through, is exceptional?—It is.

5294. Mr. *Roebuck*.] But surely wood is no obstruction to colonisation?—None

None whatever; and the size to which the trees grow there would render them exceedingly valuable for spars. *R. Blanshard, Esq.*

5295. And the heavier the timber the better the land?—I believe it is always considered so. 15 June 1857.

5296. As to talking about any obstruction arising from jungle, that is not considered by an American as an obstacle, is it?—None whatever.

5297. Are you at all aware what the forests are composed of?—Principally pine.

5298. Does not pine usually grow in a barren soil?—It does occasionally; but also when it is cleared it is very fertile.

5299. Is that your experience?—In many places.

5300. Is there no hard timber there; maple, beech, or birch?—There is a little oak in the south of the island.

5301. Is there no maple?—I do not know. I never heard of the maple tree being found there.

5302. The beech tree?—The beech tree grows there, but not in any very large quantities; the prevailing timber in the island is the pine.

5303. And notwithstanding that, you say that the soil is fertile?—The soil is fertile. I have seen wheat grow there very luxuriantly.

5304. Can you state how many bushels per acre?—The number of bushels per acre would sound very insignificant to an English farmer; but considering the imperfect cultivation, it was a very good crop; about 25 bushels on some part of the land.

5305. *Mr. Edward Ellice.* Is that in the country where you saw originally pine or hard wood?—Pine.

5306. Do you know Esquimaux Harbour?—Yes.

5307. What sort of a harbour is it?—A very good harbour; the deep water would take in a vessel of any size; the entrance is clear and open; there is only one rock in it, which is well known and easily avoided.

5308. When inside are the vessels in perfect shelter?—In perfect shelter.

5309. In any wind?—In any wind; it is only open to the south, and the wind from the south there is not very violent, nor does it create any sea.

5310. Is that harbour of sufficient capacity to take in a large number of vessels?—I should think it would take in a dozen line-of-battle ships.

5311. Esquimaux Harbour is on the sea-side of the island, I think; a vessel having recourse to Esquimaux Harbour would have no necessity to go within the Straits?—It is a long way up the Straits; the entrance of it is four or five miles; or perhaps hardly so much.

5312. Is it north of Victoria?—It is about due west of it.

5313. *Mr. Charles Fitzwilliam.* Can you give us some information as to what the Puget Sound Company is composed of, and what have been its operations?—I was unable to understand a great deal about it; it seemed to be very much identified with the Hudson's Bay Company; everything was used indiscriminately; men came out saying that they were Hudson's Bay Company's servants, and it appeared that their agreements had been entered into with the Puget Sound Company; they were employed on the Hudson's Bay Company's work.

5314. Had the operations of the Company been extensive as a farming company?—There was an establishment formed close to Esquimaux, which was forming just as I came away, which they said belonged to the Puget Sound Company, but the people who were on it had never heard of the Puget Sound Company; there was a gentleman of the name of Langford, one of the people who superintended it, he had never heard of such a company until he got out to Vancouver's Island.

5315. What was his position as regarded the Puget Sound Company; was he one of the Company?—No; he had nothing to do with it; he was in their service.

5316. Not as a ploughman, was he?—No, as a bailiff.

5317. Do you know what were the inducements offered to him to go out?—He was engaged with them for a term of 15 years, which was terminable either at five or ten years upon due notice; he was to receive a salary of 60 £ a year, and he was to be supplied with everything which he required in the way of labour, materials, and seed, and with those he was to form as large a farm as he pleased. I think it was restricted to 500 acres, if I remember rightly. His further remuneration, beyond this 60 £ a year, was to be half the profits of the farm when it was established.



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5318. When he went out there, was he led to suppose that he would find every accommodation when he got there?—So he told me.

5319. How was he received?—There were no preparations made for his employment; his agreement was with the Puget Sound Company; for I saw it myself.

5320. In the first instance you say that he was induced to go out as a settler by the representations of the Hudson's Bay Company?—He never heard of the Puget Sound Company till he got there, though his agreement was in the name of the Puget Sound Company; he considered that he had all the time been dealing with the Hudson's Bay Company, and he was not aware of there being such a thing as the Puget Sound Company till he arrived in the island.

5321. With whom had he dealings; what member of the Hudson's Bay Company?—Chiefly with Sir John Pelly.

5322. Who represented the Hudson's Bay Company?—He was Governor of the Hudson's Bay Company.

5323. Had he anything to do with the Puget Sound Company?—I believe he was also governor of the Puget Sound Company.

5324. What was the actual reception which Captain Langford met with when he arrived on the island?—There had been two log houses put up, one of which he was told he was to occupy with his family, and the other was for his labourers.

5325. Log huts, containing one room each, of course?—Yes.

5326. What was his position in society in England?—He had held a commission in the army, and I believe had sold out about 10 years previously, and turned his attention to farming, in Kent.

5327. So that a gentleman of position in England was expected, with his family, to live in a log hut, without any accommodation whatever?—Exactly so.

5328. What steps were taken for his accommodation afterwards?—There was a small log hut at Victoria, which was handed over to him, in which he put away his family in the best way that he could.

5329. What was the nature of this log hut at Victoria; of what size was it?—I suppose about 20 feet by 12; something of that kind.

5330. Containing how many rooms?—It contained one at that time.

5331. So that he was very little better off in the new accommodation than he was in the old?—What I think you understand by the old accommodation were two houses which were put up near Esquimaux, where his farm was intended to be, and he declined to take his family there until he had got a proper house for them, so that upon their first landing they were put into this other log hut.

5332. Had he been promised a house to live in on his arrival in Vancouver's Island in the first instance, on his leaving England?—I should hardly think that he expected to find one ready for him, but he certainly expected better accommodation than he found.

5333. Mr. *Edward Ellice*.] How do you know all this?—Because when he arrived there he had a large family, and his wife, who was a most lady-like woman, was within a day or two of her confinement, and I gave them rooms in my house, being extremely sorry to see an English lady reduced to such a state of inconvenience.

5334. With regard to all that may have passed between Mr. Langford and any other parties in London, from what source have you the information as to what hopes and expectations were held out to him?—What Mr. Langford told me himself. The terms of his agreement spoke about his farm, and what his remuneration was to be.

5335. Have you that agreement here?—That was his own agreement.

5336. Mr. *Charles Fitzwilliam*.] He was a connexion of yours, was he not?—Yes, he was a distant connexion of mine.

5337. Mr. *Edward Ellice*.] Have you a copy of that agreement?—No, I have not; but a copy of that agreement would prove nothing, because it merely referred to what was to be done when he arrived on the island. It said nothing about what his expectations were when he arrived there, and what he was to find ready to his hands.

5338. Mr. *Charles Fitzwilliam*.] You say that by his agreement he was to be supplied with seed, agricultural implements, and everything necessary to conduct a farm?—Yes.

5339. To whom had he to apply for those articles?—To Mr. Douglas.

5340. In what capacity; as Governor of the Puget Sound Company, or as chief factor of the Hudson's Bay Company?—That he did not seem at all clear about at first, and I understand that there was some correspondence between them

them on the subject as to whether Mr. Douglas would acknowledge himself as *R. Blanchard, Esq.* agent of the Puget Sound Company.

5341. *Mr. Edward Ellice.*] In fact, is Mr. Langford still in the island in the service of the Puget Land Company?—I believe so. 15 June 1857.

5342. *Mr. Charles Fitzwilliam.*] In what capacity was Mr. Douglas in the island; was he as Governor of the Puget Sound Company, or as an officer of the Hudson's Bay Company?—As both.

5343. I think you said that Mr. Douglas rather denied that he had anything to do with the Puget Sound Company?—What passed between him and Mr. Langford I cannot tell, because I was not present; but Mr. Langford told me that he had been obliged to write to him to know whether he was the manager of the Puget Sound Company or not.

5344. Do you know what the answer was?—I really did not inquire what the answer was.

5345. *Mr. Edward Ellice.*] You said just now that Mr. Douglas was governor of the Puget Land Company; how do you know that?—He managed all their affairs, and directed what should be done indiscriminately with those of the Hudson's Bay Company; I did not say governor; I said manager.

5346. Can you tell us in any particular in what way he acted as governor or manager of the Puget Land Company?—Merely that he directed that their accounts should be made out in the Hudson's Bay Company's office. I heard one of the officers grumbling about having to do the Puget Sound Company's work without remuneration; he apportioned men out; he took the management of the men who came out there with agreements as Puget Sound Company's men.

5347. *Mr. Charles Fitzwilliam.*] Was there any return of the persons imported into the island by the Hudson's Bay Company?—I was furnished with lists of passengers by the captains of the ships; but I cannot produce them, because they are destroyed with the rest of my own papers.

5348. And the persons who formed the staff of the Puget Sound Company would be reported as having been introduced as settlers by the Hudson's Bay Company?—I presume so, by the numbers; the numbers were given, as free settlers introduced by the Hudson's Bay Company, and they tallied with the number of passengers given to me.

5349. *Mr. Matheson.*] Are you aware whether persons going out under the Puget Sound Company were reported as servants of the Hudson's Bay Company?—I merely saw a report of so many settlers sent out by the Hudson's Bay Company.

5350. But you do not know whether they went out as servants of the Puget Sound Company or not?—As the number tallied with the number given me by the captain of the ship, it must have been so.

5351. *Mr. Grogan.*] Was any return or report ever made to you of emigrants, or settlers, or labourers, brought out by the Puget Sound Company?—Never.

5352. But there were reports made to you of emigrants and labourers that were brought out by the Hudson's Bay Company?—I merely had a return of the number.

5353. They were always entered as having been sent out by the Hudson's Bay Company?—They were all put together; a paper was handed to me, saying, "These are the number of settlers that we have brought out."

5354. Whom do you mean by "we" in that answer?—Mr. Douglas gave it to me; whether he was speaking collectively, or only as manager of the Hudson's Bay Company, I will not pretend to say.

5355. You, as Governor, had no means whatever of knowing the settlers and labourers that were brought out by the one Company and the other?—None whatever.

5356. And you were under the impression that they all came out under the Hudson's Bay Company?—I was under that impression.

5357. *Mr. Charles Fitzwilliam.*] So that those persons who were introduced into the island by the Puget Sound Company would make people think that the Hudson's Bay Company had been doing all in their power to colonise the island?—Just so.

Lieutenant-Colonel *William Caldwell*, called in : and Examined.

Lieut.-col.  
*W. Caldwell.*

15 June 1857.

5358. *Chairman.*] WHAT acquaintance have you had with the territories under the government of the Hudson's Bay Company?—I went to that country in June 1848. I left Gravesend in command of a pensioner corps that went out, and as Governor of the settlement of Assiniboia.

5359. How long did you reside there?—I returned in October 1855; I was seven years in the country as Governor of Assiniboia; I have my commission with me (*producing the same*).

5360. From whom was your commission?—From the Hudson's Bay Company.

5361. What were your functions as Governor of that settlement?—They comprised judicial and legislative duties.

5362. What was the condition of the settlement when you left it?—It was tranquil, peaceable, and quiet when I left it.

5363. It is chiefly composed of half-breeds, I believe?—I should say better than half were French Canadians and half-breeds. The smaller half were amongst the original settlers that went out under Lord Selkirk, with some English half-breeds.

5364. Did you find them to be a very well-disposed population on the whole, or difficult to manage?—I found them troublesome on first going out; I found them peaceable and quiet subsequently.

5365. What was their occupation and means of livelihood?—Amongst the Canadians and half-breeds they were generally hunters; amongst the English half-breeds they were voyageurs; they went down to York twice a year to bring up the goods from the ship.

5366. Were they in the service of the Hudson's Bay Company for the most part, or of independent traders?—They were partly taken up by the traders and employed in bringing up the goods; the greater portion were employed for the Company's goods.

5367. What was the description of the chase pursued by those who subsisted by hunting?—They caught the buffalo, by which they made pemmican and tallow.

5368. They did not engage in the fur trade, I suppose?—I suppose that if they could illicitly do it, they did so.

5369. Is there any fur trade of any consequence within reach of that settlement?—Yes; there are some settlements where they have posts. There is one post at Pembina on the frontier, from which they get a number of furs, and at Fort Pelly, there are a great number. Generally about four batteaux came down in the spring, and they were filled with furs.

5370. That is the fur trade; but is the hunting of the fur-bearing animal carried on to any extent within easy reach of Red River?—Not very easy reach. Occasionally there are fur-bearing animals seen in the vicinity, and sold in the settlement, but rarely.

5371. The great mass of the fur trade is prosecuted in districts more to the north?—In distant spots; the best fur trade.

5372. Do you think that it is advisable, with reference to the condition of the Red River settlement, that some change should take place in the manner in which the affairs are administered?—According to the state of the settlement at present; they are in a very primitive state; I found them so on my going out; they became more enlightened, and required, perhaps, a more stringent mode of government.

5373. Do you believe that under any other system it is probable that that country and its vicinity would be settled and colonised to a considerable extent?—Not as long as other parts were open more approximating to the civilised portion of the territory. Unless for fur-bearing animals, I do not see any object that a settler would have in going to that remote part of the globe.

5374. *Mr. Roebuck.*] Were you ever in the United States?—I have been there.

5375. Was you ever in Minnesota?—No.

5376. *Chairman.*] Do you know the Saskatchewan?—I do not. On my entrance into the country I went to York; and I saw enough, I am sure, to prevent any one wishing to go into a settlement in so remote a position as that.

My

My family, with five young children, went in an open boat from York to Red River; it took them four weeks to accomplish that journey in an open boat.

Lieut.-col.  
W. Caldwell.

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5377. My attention has been called to the following paragraph in a recent American newspaper: "Those that are afraid to come up to Minnesota, because the chances are all taken up, need not despair; recent explorations have brought into notice a fertile region, abounding with wood, and coal, and minerals, lying on the Saskatchewan, which empties itself into Lake Winnipeg, which empties, through Nelson River, into Hudson's Bay." Do you believe it likely that emigrants would find their way into this territory if it was available for them?—I think that, if they were permitted, the American emigrants would be likely to do so, because the access is so very easy and approachable, across the plains, from the American territory, into the Red River.

5378. You think that the stream of settlers would come rather from the United States than from any other direction?—If they were allowed, I should think so.

5379. Mr. *Reebuck*.] Then the only obstacle to the colonisation of the country is the want of roads?—The want of roads; the difficulty of getting there.

5380. If they could get there they would go there?—I cannot judge of that except from my own feeling; I should not like to go to so remote a spot: I have been seven years there, and know what it is.

5381. You found that there were settlers in the remote parts of America?—At the Red River settlement; I have been further of course; I have been up at York, but they were only servants of the Company, who were compelled to stay.

5382. You said that you had been in America?—I have been in Canada, and I have been in New York.

5383. You have not been in any of the back settlements?—No.

5384. You know that settlement and colonisation has gone across the Mississippi?—I have read and heard of such things, but I have no personal acquaintance with them.

5385. Should you suppose that people would have been taken across the Mississippi, or would have gone up the Mississippi in an open boat, and undergone all the hardships of that river?—Yes; of course when they have got steamers and railroads across, it is very easy to go into the country; when you have that accomplished, it is very easy to get to Red River.

5386. Would it not have startled you just as much to see a body of emigrants going across the Mississippi as it did in the case which you state, of the dangers and hardships which you underwent in going up that river from York; would it not have seemed to you quite as startling an event that they should cross the Mississippi?—I cannot say; I have no experience; I do not know the country which you speak of.

5387. Your sole reason for believing that colonisation would not take place there is the hardship which you yourself underwent?—No; the difficulty of access to the place.

5388. If the access were made easy, you think that emigration would take place?—It might take place when the redundancy of population drove them to that remote spot; I do not see the object which they have in view until the other places are cultivated.

5389. There is no redundancy of population in the United States of America?—No, I suppose not; emigration is still going on.

5390. And yet emigration takes place to the west?—Yes, but I imagine that the reason of it going so far west is from the land being so much more readily obtained; there is a less price for the land.

5391. If land were as readily obtained on the Red River and the access were easy, is there any reason to suppose that emigration would not take place there?—None; I see no reason.

5392. Therefore your first statement, that you thought that emigration would not take place, did not really express your feeling?—I only express my own feeling; I say that I would not go to such a remote spot.

5393. But you were there for seven years?—I was an old soldier, and I was sent on duty.

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5394. You said that you carried out a body of settlers?—They were partly settlers and partly troops; they were enrolled pensioners.

5395. You took them out from Gravesend?—I did.

5396. Were they English people?—English, Irish, and Scotch.

5397. How many?—Fifty-six, with their wives and children.

5398. Altogether fifty-six?—Fifty-six men, non-commissioned officers, and privates.

5399. A number of these I suppose were married and had children?—The greater number; there were 14 that were single men; the rest were all married, with smaller or larger families.

5400. You took these out to Hudson's Bay, and from there to Red River?—To Red River.

5401. Did they settle there?—A few of them are there still.

5402. What took them there?—They went out enrolled; they went out as a force.

5403. As soldiers?—Partly as settlers and partly as soldiers.

5404. Did they go out with the intention of remaining there; was it understood that they would remain there?—It was supposed that they would remain there.

5405. And upon that expectation you took out all these people?—I was sent out; the Government sent them out; I was the commanding officer.

5406. So many people went with you as settlers?—They did.

5407. So that there was an evidence that people would go out as emigrants to that country?—We soldiers are obliged to go anywhere where we are sent.

5408. Did they go as compulsory soldiers?—I presume not; but it was an inducement held out as an enrolment, having 20 acres of land as a private, a corporal 30, and a serjeant 40 acres; that I suppose was the inducement, and that they could do better there than they could in this country.

5409. And that inducement led them to go out there?—It led them to go out, I presume.

5410. You say that you exercised judicial and legislative functions whilst you were there?—I did, as far as my ability enabled me to perform them in the state in which I found the place.

5411. You were monarch of all you surveyed?—I was, as far as authority went. I had very great authority I assure you.

5412. Had you no council?—I had a council and a recorder.

5413. Who was he?—Adam Thorn, esq., was the recorder.

5414. You say that you exercised legislative functions?—Yes. I was the Governor, and head of the legislative body, as well as of the judicial.

5415. What was the legislative body composed of?—To enact laws.

5416. Of whom was it composed?—I had two bishops at one time; when I first went there I had one; the Roman Catholic bishop was one; and I had one or two clergy, missionaries, and the elite of the place; the most intelligent of the community.

5417. In what year was this?—1848.

5418. How many persons were there in the settlement at that time?—There was a census taken about that time, and there were supposed to be about 5,000 inhabitants.

5419. Were they electors, or how was the council chosen?—The council were chosen by the powers that were, the Government of the country; the Hudson's Bay Company.

5420. So that they were a self-elected vestry?—No; they were appointed by the Hudson's Bay Company.

5421. Not by the people there?—Not by the people.

5422. Had you supreme legislative authority; did you make what laws you liked?—Our endeavour was to make laws in conformity with those which we were acquainted with belonging to England.

5423. You say that your recorder was Mr. Thorn?—Yes.

5424. How long was he recorder; was he recorder all the time that you were there?—No, he was not; he was recorder from 1848, when I went; I found him there, and he had been in office since 1839. The Company gave him some other appointment subsequently.

5425. Did

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5425. Did he give satisfaction while he was there?—Not to the people.

5426. They found fault with him?—They found great fault with him, and sent a petition to Sir George Simpson, when he came up in 1849, to get rid of Mr. Thorn; they were tired of him.

5427. What fault did they find with him; what charge did they bring against him?—That all his decisions were in favour of the Hudson's Bay Company; that was one charge.

5428. That he was a partial judge, in fact?—A partial judge.

5429. Mr. *Edward Ellice*.] Was he got rid of?—Yes; he was sent off before I came away.

5430. Viscount *Goderich*.] You said that he received another appointment?—Yes.

5431. What was that?—They offered him the clerkship of the court.

5432. Of which he had previously been judge?—Yes.

5433. Did he take it?—Yes, he accepted it.

5434. Mr. *Edward Ellice*.] How long was he there?—I think he was two years there.

5435. Viscount *Goderich*.] As clerk?—I think so. I think that it was in 1852 that he was appointed, and he came home in 1854.

5436. Who became recorder then?—There was no recorder during that time; afterwards a Mr. Johnson, a Queen's counsel from Montreal, succeeded him.

5437. Who exercised the judicial functions during that time?—I was judge and everything, I believe; I was Jack in office, and did everything.

5438. And Mr. Thorn was your clerk?—He was at one time. When I was judge, he was clerk; but it was a farce having to conduct the business; there were no lawyers there; it was a court of equity. I tried to do justly between man and man; that was my great object.

5439. Mr. *Roebuck*.] "By equity," you mean exactly what the judge pleased?—I had no judge afterwards.

5440. Mr. *Christy*.] Did Mr. Thorn continue to charge the jury in his capacity as clerk of the court?—No; the Company can tell you better than I can their reasons for putting Mr. Thorn as clerk, instead of on the bench.

5441. But you say that he did not continue to charge the jury in his capacity as the clerk of the court?—Not after 1849. In 1849, when Sir George Simpson came up, there was a petition to him; but I never saw the petition; it was merely what I heard; and I found afterwards that Mr. Thorn did not frequent either my court or my council.

5442. Do you recollect a case, which became somewhat notorious, of *Foss v. Pelly*?—Yes, to my sorrow; that case gave me a great deal of anxiety and uneasiness.

5443. What was the amount of damages in that case?—The damages were 200 *l.* against Pelly and wife, and 100 *l.* against Davison and wife, who were coupled with Pelly and wife. Mr. Pelly was a trader, and John Davison was the mess waiter of the mess with his wife, and they were coupled together. Captain Foss excused Davison in court at the time when the decision was made known, but received the money from Pelly and his wife.

5444. Who charged the jury and delivered the sentence of the court upon that occasion?—Mr. Thorn got into court that day by permission from those who had previously prevented him from attending.

5445. There was a jury?—There was.

5446. Will you describe what took place on that occasion in reference to the charge which was addressed to the jury; I think you stated that Mr. Thorn came into court at that time after he had been, as you believe, officially displaced; will you inform the Committee what part Mr. Thorn took in that trial?—Mr. Thorn pointed out the nature, and charged the jury as to the extent of the penalty, and the jury gave the verdict; they gave a grand sum of 300 *l.* Mr. Thorn then pointed out that that would not do; that they were to discriminate between the Pellys and Davison, and to specify a given sum to each party. The jury then retired to their room, and on their return the sentence was 200 *l.* penalty against Pelly and his wife, and 100 *l.* against Davison.

5447. Did he act on that occasion as advocate?—I am afraid that he acted both as advocate and judge.

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5448. Mr. Grogan.] Who was the presiding judge on the occasion?—I was Governor.

5449. Mr. Christy.] Did he not previously act as advocate in this case, and afterwards charge the jury?—It appeared so to me.

5450. Viscount Goderich.] Do you mean that he pleaded in the case before the jury?—Not so, but that he gained information from the several parties and then came to adjudicate upon the question on that bench.

5451. Mr. Christy.] By "gaining information," do you mean to say that he was consulted by the parties?—I believe that Sir George Simpson made inquiries into it, and that Mr. Thorn was present. I was not there, and therefore I can only tell from what I surmise, and what I heard took place.

5452. Mr. Edward Ellice.] Do you believe that substantial justice was done in the matter?—No.

5453. Chairman.] When you say that Mr. Thorn acted as judge and as advocate in this case, do you mean that he actually pleaded formally as an advocate, and afterwards gave judgment?—No.

5454. Or do you mean that, as the judge, he showed the feelings of an advocate?—I mean to say, that when Sir George Simpson came and inquired into this matter, he and Mr. Thorn being present, they inquired from the different witnesses of those who were accused what their statements were, and Mr. Thorn heard them.

5455. Mr. Roebuck.] Out of court?—Out of court, privately, before Sir George Simpson.

5456. Mr. Edward Ellice.] Do you think that substantial justice was done in the case, with reference to the fine imposed?—I did not refer to the fine.

5457. Do you think that, with respect to the fine which was imposed, substantial justice was done?—No, I do not; that was one of the things which I was not satisfied with.

5458. Do you think that the fine or the punishment was too little or too great?—I was under the impression that the fine was beyond my means of imposing a fine.

5459. You stated that you did not think that substantial justice was done when the sentence was passed; do you think that the fine was too little or too great, because it was in that that justice or injustice consisted?—It was not in that.

5460. You stated just now that you thought that substantial justice was not done; if injustice was done, was it because the fine was too little, or because it was too large?—It was not on that plea; the injustice was, that Mr. Thorn had been consulted.

5461. Then you think that, as regards the merits of the case, substantial justice was done?—I think the fine was too great, if you wish that.

5462. Mr. Lowe.] What was the nature of the action; was it for libel, or slander, or what was the injury complained of?—It was defamatory conspiracy.

5463. Mr. Edward Ellice.] The plaintiff was in this case Captain Foss, was he not?—Yes.

5464. Captain Foss was not in the service of the Company?—He was in the pay of the Company as a staff officer, and looking after the workmen.

5465. Mr. Pelly, the defendant, was a servant of the Company?—He was a chief trader.

5466. He was part and parcel of the Company?—Yes.

5467. Was the verdict therefore adverse, in this instance, to the servant of the Company?—It was; it was against Mr. Pelly. The case was Foss v. Pelly.

5468. Mr. Roebuck.] You say that the action was for a conspiracy?—Defamatory conspiracy was what it was stated to be.

5469. Who were the defendants?—The defendants were Pelly and wife, and Davison and wife.

5470. You say that there were four defendants?—Four defendants.

5471. All the defendants were fined?—They were all fined, but the fine was not paid on the part of Davison and his wife; Captain Foss told him that he would forgive him.

5472. But it was paid by the others?—Yes, Mr. Pelly paid for himself and his wife.

5473. It

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5473. It was defamation, in fact?—Yes, defamation of character; a conspiracy.

5474. The charge was that these persons had conspired to take away the plaintiff's character?—Mrs. Ballenden's character; Mr. Ballenden was the chief factor in charge.

5475. Then the chief factor in charge got a verdict?—It was not the factor; it was Captain Foss who brought the action.

5476. What was Captain Foss?—He was the staff officer of the pensioners.

5477. Was he in the service of the Company then?—He was paid by the Company.

5478. So that in fact it was one officer of the Company who brought an action against another?—I do not know whether you consider it as such; I tell you his position; he was a staff officer.

5479. You have been asked, in order to show the impartiality of the tribunal, whether the verdict was not given against the Company's servant; I now ask you whether the plaintiff was not the Company's servant as well?—He was in the Company's pay.

5480. Mr. *Edward Ellice*.] He was Her Majesty's officer, was not he?—He was an officer retired from the service, and he got the local rank of captain, to put him in the situation of having a commanding position among the pensioners; he sold out of the service before he joined.

5481. Mr. *Christy*.] And he was paid by the Company?—He was paid by the Company on two heads.

5482. Viscount *Goderich*.] I understood you to say that it was the interest of the chief factor that Captain Foss should get a verdict?—Yes. He was the principal evidence; he and his wife were brought in as evidence, which was a thing which I did not think was at all according to our mode of proceeding.

5483. Therefore it was the interest of the chief employé of the Company there that Captain Foss should get a verdict?—It was; no doubt about it. He was concerned for the character of his wife.

5484. Mr. *Grogan*.] Who presided on this trial?—I did. I was the Governor and the President in the chair; it was my office as Governor to preside at all courts and councils.

5485. And you acted, I suppose, on the occasion of this trial?—No, the judge was there; the judge was responsible for his own acts as recorder. I was only the President. According to the charter, there is a Governor and Council; it is some new feature in the case to have a recorder.

5486. Mr. *Roebuck*.] That Governor and Council are not judicial officers?—They are to administer justice, and to take the law into their own hands, according to the charter; that is what they were obliged to do when the charter was given.

5487. You talk about the Governor and Council; the Governor and Council are executive and legislative officers, but they are not judicial officers; they do not try anybody?—I said before that I did not look upon it as judicial, but more as equity, to administer justice between the two parties in any case which came before me.

5488. The Governor and Council?—The Governor and Council.

5489. Then they were judges; they had a judicial function?—Yes, we had.

5490. You presiding at that court, why were you not the judge?—Because the Company found that the settlers increasing to the extent that they did, required a recorder, and they had a recorder from the year 1839.

5491. The recorder appeared, according to your description of the constitution, merely to be your assessor?—Exactly so.

5492. He was not judge; you were the judge; you were the supreme of the court, were you not?—You do not wish to implicate me, I hope, because I do not wish to give evidence against myself, if you are going to put me in that position.

5493. Viscount *Goderich*.] Were you present in court on that occasion?—I was; it could be no court without the Governor.

5494. But you did not interfere in charging the jury, or guiding them as to their verdict?—No.

5495. You took no part, then, in the proceedings except sitting there?—No.



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5496. Mr. *Edward Ellice*.] If you had thought that a great injustice was going to be done, would you have felt justified in continuing the court?—There was such a strong feeling. There was the judge who was responsible to you for the legality of the act. The recorder was there, as far as the law was concerned, to see that all was right.

5497. Mr. *Grogan*.] You have described to us now the constitution of the court; that the Governor and Council presided at it to see justice done, and that the recorder as their judge charged the jury and directed them as to the verdict which they ought to find?—Yes.

5498. You speak of a jury; of how many did it consist?—Twelve.

5499. Of the settlers of the country generally?—Of the settlers of the country; and on that occasion I remember that some of the most intelligent of the settlers had been selected.

5500. Viscount *Goderich*.] Then it appears that although Mr. Thorn was suspended from his function as recorder in 1849 by Sir George Simpson, he nevertheless came into court on this occasion and acted again as recorder, and that you permitted him to do so?—He was not suspended exactly; it was a sort of agreement between the recorder and Sir George that he would withdraw; that he would not enter the court or council. It was a voluntary act between the parties, I believe, as far as I heard of it; but I was not present at the time.

5501. You would have held that he had the right of coming into court again and acting as recorder during that time?—Yes; he was paid for it.

5502. But he did not act?—He did not act except on that occasion; on that occasion he was called in by the consent of the parties who were opposed to him.

5503. Mr. *Roebuck*.] Were there any trials which took place during his absence?—Several trials took place.

5504. Who was judge then?—I was judge; I administered justice, as far as hearing what was said; but I pretty much adopted the plan which is usual in our military courts, and instead of charging the jury, which I felt I had not the ability to do (I had not the phraseology to charge the jury in the language in which they should be charged), I merely desired the clerk of the court to read the proceedings, to refresh the memories of the jury, and I left them to decide the question.

5505. Viscount *Goderich*.] When was Mr. Thorn appointed clerk of the court?—I think it was in 1852 that he was appointed clerk; I do not exactly remember the date; it was after this trial; I wrote home very strongly upon it; I did not feel at all satisfied with the proceedings of that court, and I wrote home.

5506. Mr. *Edward Ellice*.] Did any of the parties object to the proceedings of that court?—There was a great deal of objection on the part of Mr. Pelly, the defendant; he wrote very strongly home to Sir John Pelly, the Governor.

5507. Mr. *Christy*.] Are you aware that there is an Act of Parliament restraining any court within Rupert's Land from trying any civil action where the amount at issue exceeds 200 l.?—I had heard that, and in order to have the fact ascertained I wrote home about it. I have the letter in my pocket, which, with the permission of Mr. Ellice, I will read to the Committee, because this is an official letter. I felt myself, from what had been stated on the subject, that it was a doubtful question, and I was determined to have it brought before the Governor and Committee at home. I was asked the question when Mr. Thorn accepted the appointment of clerk; it was in April 1851; here is a copy of his letter to Mr. Caldwell, who was Governor of Rupert's Land, and I see that that is the date. I cannot now lay my hand upon the letter which I received in reply to mine.

5508. Mr. *Edward Ellice*.] Will you state the substance of the letter to which you have referred?—That I had not exceeded the powers in going beyond 200 l.; that there was no limitation.

5509. Mr. *Roebuck*.] That was the answer which you received from London?—Yes.

5510. Mr. *Christy*.] Am I to understand that you had heard that you were not to try any cases exceeding 200 l., and that you addressed a letter to the Company in London?—There was a great deal said in the settlement by those who

who were opposed to the Hudson's Bay Company that they had not the power to go beyond 200 *l.* I then wished to know the fact from the Company themselves, whether my powers were such, in order that I might in future be guided as to the decisions of the court.

5511. Viscount *Goderich.*] And the reply which you received was, that there was no limit to your power in that respect?—I think that that was the nature of it.

5512. Mr. *Christy.*] You can put it in afterwards, but you did address a letter to London:—Yes.

5513. And you received a reply to that letter?—I did.

5514. Which did not limit your powers?—I would rather say that it stated that the powers had not been exceeded in going beyond 200 *l.*; that was the question which I put.

5515. Are you aware that the Hudson's Bay Company are under a bond of 5,000 *l.* to refer all cases of this amount to the courts in Canada?—No, I am not aware of it.

5516. Mr. *Edward Ellice.*] You do not know whether that bond relates only to the licensed territory?—No, I am ignorant of that.

5517. Mr. *Christy.*] Have you ever seen a charge to the jury at Red River published by Mr. Thorn?—Yes, I have seen it; but it was previous to my going out.

5518. Have you seen that since you went out; did you see it at the time you were there?—I saw it when I arrived in the country.

5519. There are several cases of a capital nature referred to in this charge; I do not mean cases where sentence of death has been passed, but cases of murder and manslaughter which have been tried by the court; do you consider that you had the necessary authority for trying these cases at the Red River without reference to the courts of Canada?—There was one instance in which infanticide was brought before me; I will confine myself to what is within my own experience; it was the grandmother who had made away with the child; that is to say, she took out her daughter in the open air, while the snow was on the ground, and she took no care of the progeny after it was brought forth, and the child died, and she was brought up for infanticide, and was found guilty, and she was sentenced to be hung. From the recommendation of the jury, and from circumstances which were recorded, I commuted the punishment of death to two years' imprisonment. That was the only case.

5520. During that time, when you were exercising those powers, you were not aware that there existed an Act of Parliament which limited the powers of the Hudson's Bay Company, and compelled all such cases to be sent to Canada?—I was not, otherwise I should have been very glad to have got rid of the case.

5521. Mr. *Grogan.*] When did you hear for the first time of that power; that in case of any prosecution for such an offence as you have just described it should be referred to the courts in Canada?—I have heard it here.

5522. This is the first time?—I may have heard it in this room, but it has been since I have been present upon this inquiry.

5523. During the whole time when you were Governor of the territory you had no information whatever on the subject?—No.

5524. Mr. *Christy.*] If you had heard of such a requirement, you would have considered that the cases which came within your notice involved circumstances of that importance which necessitated their being sent to Canada?—I am not sufficiently master of the subject which you refer to; I do not know the Acts of Parliament, any more than hearing the matter spoken of in this room; that is all the knowledge which I have of it.

5525. *Chairman.*] Do you think that the settlement improved while you were there?—Very much; there was a very great improvement, and I think they are greatly indebted to the exertions of the Bishop of Rupert's Land.

5526. Was care taken in the education of the children?—Very great care; so much so that I could not have remained, having a young family, had it not been for the great anxiety of the Bishop to have a proper school established in the country. He had a gentleman from Cambridge out as a tutor, and he provided a lady, who had kept a large establishment at St. Cross, near Winchester, for the education of the females; he went to very great expense. I am

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quite sure that the income, which was only 20 *l.* a year for each scholar, was exceeded by the expense.

5527. When you left do you think that it could be generally described as a well ordered and thriving community?—I think so.

5528. Were life and property adequately protected?—I cannot say as to that; people seemed to live in fear; people were alarmed lest they should have their property set on fire, or anything of that sort; they did not dare to take any active steps.

5529. Sir John Pakington.] Do you mean set on fire by incendiaries?—They were fearful of giving offence to their neighbours.

5530. Do you mean that such incendiary fires were common?—No.

5531. Then why were they apprehensive of them?—There was a fear in their mind.

5532. It was a fear without any foundation from actual experience?—There was no foundation for it.

5533. If there was no foundation for such fears from actual experience, what was it which caused their apprehensions to be turned in that direction, rather than in any other?—I cannot say that, but I can merely mention the fact of hearing it stated repeatedly, that they were afraid to give evidence against their neighbours, against any neighbour; there was a great delicacy in giving evidence.

5534. What means of knowledge have you that such fears as you have described actually existed?—The question was in the fur trade; that they were apprehensive of coming forward to give evidence, or to take any active part in the protection of the fur trade; they were apprehensive of those against whom they might appear.

5535. Mr. Roebuck.] You mean that the fur trade was a monopoly exercised by the Company?—Yes.

5536. And in order to protect that monopoly, if anybody gave evidence he would incur the displeasure of his neighbours?—When there was a disturbance about the fur trade in the country, I spoke to the magistrates in order to call out the better disposed, or those who did not traffic illicitly or privately in the fur trade, to be sworn in as special constables. The magistrates told me that no man would come forward in a case of that sort.

5537. The monopoly of the fur trade was so disliked by the people, that they turned their displeasure against anybody who endeavoured to maintain it?—No; I would rather put it in this light, that they felt so little interest in the furtherance of the fur trade, that they would not risk their own property to protect the fur trade.

5538. But then they must have apprehended danger from somebody; from what did that apprehension of danger arise?—They would have a host of enemies against them if they took an active part; that was the apprehension in their minds.

5539. Sir John Pakington.] What enemies do you mean; are you referring to members of the Company as those enemies?—No.

5540. To whom are you referring?—I am referring to the illicit traders; the private traders; the greater part of the French half-breeds are private traders, trading in furs.

5541. Mr. Roebuck.] They violate the monopoly?—Yes.

5542. Sir John Pakington.] Therefore in fact there is a constant rivalry between that illicit trade and the fur trade carried on by the Company?—Yes; the others who do not trade are not sufficiently interested in the matter to put themselves in a prominent position to protect the Company.

5543. Mr. Roebuck.] They are not sufficiently interested in the matter to incur the danger arising from protecting the monopoly?—Yes; that is the position.

5544. Sir John Pakington.] You mean that persons are afraid of giving any information to the Company with reference to the illicit trade for fear of the consequences?—Yes.

5545. But then you say that although their fears took the direction of apprehending incendiary fires, there was no experience of that?—No.

5546. Was there experience of acts of violence of any other kind from the same causes; do you know of acts of violence having been committed under those circumstances?—There was no act of violence, but there was a very formidable array or demonstration of violence shown in 1849.

5547. Violent

5547. Violent feeling existed, in fact?—Yes.

5548. A feeling existed among the free-traders of such a nature, that persons felt alarmed with respect to it?—They turned out; there was a great mob.

5549. *Mr. Christy.*] That time of which you are speaking was a time of very great excitement?—Yes; that was in 1849, shortly after I got there; I went in 1848.

5550. Just at that period, in the Red River Settlement, it was a time of unusual excitement?—Yes.

5551. We have heard a good deal said, and you have heard it also, having been present during most of the examination in this room, of the cause of that excitement?—Yes.

5552. The illicit trade in furs was one cause; the endeavour to put it down on the part of the Company, and the prosecution of it on the part of those persons who were illegally engaged in it; and in various ways there was altogether a very great excitement in the colony?—There was a very great excitement.

5553. Of course you are aware that the pensioners were sent out as a body, supposing that their presence might be of use in arranging some of those disturbances, as being a check?—Yes.

5554. The troops, I think, as you recollect, went about the same time?—I relieved the troops; they had been there two years previously to my going there, and I went out with this body of pensioners to relieve the garrison.

5555. You are aware that the troops had previously gone, as there existed a state of considerable excitement, and when the troops were withdrawn you followed them there?—I went out to relieve the troops; on my arrival the troops returned home; I relieved the garrison.

5556. You went out, I believe, under certain agreements, to obtain grants of land for the pensioners whom you took out with you?—Yes; 20 acres for a private, 30 for a corporal, and 40 for a serjeant. Those were the printed conditions under which the pensioners went out to that country.

5557. Were the pensioners satisfied with the arrangements which were made for them when they got out to the Red River?—They were by no means satisfied; they were very much dissatisfied, and the reason was this: the Company at home imagined that they had a greater reserve of land than they actually had, and when the land came to be distributed (it was bound to be within two miles of the fort) it was found that there was not nearly the quantity to give them according to those conditions, and there was very great dissatisfaction. Sir George Simpson came up in June 1849, and by offering them a sum of money in lieu of the land pacified them. They were eager to get the money, for they got dissatisfied with the country altogether, being so far away from the civilised part of the world that they were very much dissatisfied on their first arrival. Another thing was, that they were all put into a place where they had not sufficient room. They were very uncomfortable for the first winter, and I assure you I had a great deal of trouble to manage them at all.

5558. With respect to those men under your command, do you think that the conditions were as well fulfilled by the Company as they might have been?—Yes, from the reason which I give, that the Company were not aware that their reserve land was so little.

5559. Then you think that it was more from their entering into injudicious arrangements in the first instance, than from a disposition to break them when the parties got to the Red River?—Yes; there was no intention on the part of the Company to defraud the men; the matter arose from their acting ignorantly in pledging so much land when they had not it in their reserve.

5560. *Mr. Edward Ellice.*] And they made up the deficiency afterwards in money?—Yes; they gave money to the men; but I did not approve of it, because they went and squandered the money as soon as they could.

5561. *Mr. Roebuck.*] When you say that they had not a reserve of land sufficient, was the land taken up by the population so completely as to prevent any wild land being at their disposal?—The Company have two forts out there 20 miles distant, and at each fort they have a certain portion of reserve land.

5562. To whom does the other wild land belong?—Along the rivers there are only about two miles which will come under cultivation; there are the

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Assinaboin and the Red Rivers, and there are only about two miles in extent from the rivers which come under cultivation; the rest is all a swamp.

5563. But that swamp does not extend over the whole country?—Here and there is a little dry land, but it is principally swamp; in the spring for instance, when the snow dissolves, it is all water for a great extent.

5564. Mr. *Lowe*.] What has become of the pensioners; are they there still?—A few of them are left; many of them went away before I left; some of them went to Canada, and a few came home, and some few are left.

5565. How many are left?—I left 25 families there when I returned in 1855.

5566. Mr. *Christy*.] Do you think that the country about the Red River is capable of supporting a considerable population, as regards the climate and the soil?—Yes: there are extremes; there is very severe cold in winter, and there is very great heat in summer; but I have heard from those who have cultivated the land that they have got as much as 30 bushels for one.

5567. What is the character of the country up the Assinaboin?—I have not been any distance up the Assinaboin; I have only been about eight or ten miles up.

5568. Have the Company encouraged the extension of settlement in that direction?—It is not the object or the interest of the Company to colonise at all, in my idea; I do not think that they have any great wish to colonise. A great deal has been said about land: they sell the land, but, unfortunately for the Company, they have seldom reaped the proceeds of it; they sell the land with the condition that so much corn yearly is to be given; sometimes they get a small return, at other times they do not.

5569. I understand you to say that the Company are not desirous for colonisation; the natural result of that would be that there is very little demand; there is but a small amount of population which will create the demand for land?—The demand arises from the increase of families; the families increase very largely, and the original allotments are too small, and they go further up the Assinaboin as squatters.

5570. Is there now a demand for land there?—From the increase of families, not from fresh importation.

5571. Taking your general knowledge of the country, is there a very limited demand for land from the families of the population?—I cannot say exactly, because when the family is too large for the estate they go off and take land, and squat themselves in some instances.

5572. Mr. *Edward Ellice*.] Do the Company throw any obstructions in their way?—They have been more stringent lately in their regulations; they require some portion of the money. The last year or two they have required them to pay a certain amount before they allow people to have possession of the land.

5573. *Chairman*.] Do the half-breeds associate on a footing of equality with the pure white men?—Some few do. The great majority of them are unlearned.

5574. You think that there is no prejudice of colour?—No, nothing of that kind; the only thing is their not having sufficient substance. There was a magistrate there, a Mr. Grant; he was one of the best there; he was a magistrate on the bench, and there is a Mr. Bunn, a medical man there; the only medical man they have there at present.

5575. Mr. *Kinnaird*.] You have spoken of the bishop; what is your opinion of the missionaries generally, and of the other ministers in the Red River Settlement?—I think they are very devoted men; they do all they can for the benefit of the people in enlightening and instructing them.

5576. It was said here in the evidence that they were receiving a sop; you think that they are quite above that?—I should think so; I do not know anything of that.

5577. Have you any acquaintance with the settled Indians?—I have been down to the Indian Settlement, and been very much pleased indeed with the mode in which they carried on their worship on the Sabbath. I was there on a Sunday, and they were as devotional in appearance as any congregation I ever was in.

5578. As to their settled habits; are they becoming industrious?—They have farms, and some few animals amongst them.

5579. Did you see any of the Indians who professed Christianity, whether settled or hunting Indians?—Yes, those Indians at the Indian Settlement are professed Christians; they become professed Christians when they settle.

5580. Do some still continue hunting?—No; most of them at the Indian Settlement are voyageurs; they go to York in boats.

5581. Mr. Roebuck.] Are they Catholics or Protestants?—At the Indian Settlement they are Protestants; it is a Protestant settlement. The Catholics are kept on the south side of the river. The Catholic missionaries are there; there is a Catholic cathedral and a bishop's house, and the priests are there; they keep the Catholics distinct on the opposite side of the river from Fort Garry; the Catholics are quite a distinct people among the half-breeds; then they have a portion of them, about 20 miles up the Assinaboin, at what they call White Horse Place.

5582. Mr. Kinnaird.] Do you think that Christianity has produced any solid abiding change there, or an improvement generally in those at the Indian Settlement?—I have heard that a good deal has been done where Archdeacon Hunter was; that three or four churches have been built, and that the people are very quiet and orderly.

5583. Do you think that it is desirable to encourage them to settle in larger or smaller bodies?—Decidedly.

5584. Can you say anything as to localities where settlements might be either possible or expedient?—No, I do not know anything beyond the immediate precincts of Red River.

5585. Has there been any discouragement, to your knowledge, to the missionaries in forming settlements of Indians?—There was a discouragement on the part of the chief factor at the portage, which is some 60 or 70 miles away from the settlement; the extent of my command was 50 miles north, south, east, and west from Fort Garry, from the Upper Fort; that is the extent of Assiniboia.

5586. In your district every facility was given, under your jurisdiction, for settling?—There was only one settlement of Indians, namely, at the Indian Settlement, which is 27 miles from the Fort; I am not aware of any discouragement there.

5587. What were the circumstances to which you alluded at the portage?—Mr. Caldwell was the Governor of Rupert's Land when the redundancy of the population in the Middle District, what they call the Rapids, wished to take up fresh ground, and they selected that spot; I do not know why; and Mr. Caldwell offered objections, because it was beyond the precincts of the settlement.

5588. Mr. Christy.] You have probably heard many complaints which have been made on the part of the missionaries; do you think that during the time of your government those complaints were well founded?—I cannot say that I have heard them; I had nothing to do with those beyond my district; they were mere reports. I heard the sentiments of some of them.

5589. There has been laid before this Committee a petition from Pigwis, the chief of the Saultaux Indians. As this is important, coming from the chief of a tribe, I wish to ask you whether you think that he was capable of understanding the nature of a petition of this kind, setting out his grievances and complaining of what he thought injustice?—He is getting now an old man, but he is a very intelligent man for an Indian; he is not able to draw up a petition; he is very fluent in language, like all Indians, which I could not understand a word of; he is very fluent in speaking, like all warriors.

5590. This is a petition which is addressed to the House of Commons or to the Queen. Are you aware that this chief of the Saultaux tribe, Pigwis, received from Sir George Simpson a complimentary certificate?—I do not know about that, but he has a large silver medal with George the Third upon it.

5591. Are you aware that he received a certificate from Lord Selkirk?—I am not. I find that I have now the letter to which I previously referred as to the powers of the Governor of Assiniboia with respect to fine. This is a letter dated "Hudson's Bay House, London, 5th April 1854," and it contains the following passage: "With respect to your inquiry as to the competency of the court of Assiniboia to adjudicate in civil cases exceeding the amount of 200 l. I am to inform you that that court, being held under the authority of the charter

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charter within the limits of Rupert's Land, its powers are not restricted as to the amount upon which adjudication may be made, the rights held under the charter being reserved by the last clause of the Act Geo. 4, c. 66."

5592. Viscount *Goderich*.] What year of George the 4th?—I understand it is the 1st and 2d.

5593. I think you stated that the people of the Red River turned out in the year 1849; will you state to the Committee what is meant by that expression?—I do not know whether this Committee are aware that, in July 1848, Lord Grey wrote to me to make inquiries into certain allegations of maladministration on the part of the Hudson's Bay Company. This brought me immediately in contact with the settlers, and with the Company on the other side. I had a difficult post in the duties which were imposed upon me by the Colonial Minister. That letter only reached me in February, and during February and part of March I got all the information in my power to furnish to the Colonial Secretary, and I sent that home in March. Soon after that they got up a report that I was bribed by the Company, and that I was paid by the Company, and consequently must be a Company's man; that there was no impartiality at all in the thing; that I must be partial to the Company's interests. I must say that the man was mentioned by Mr. Ballenden unjustly; it was an improper thing to do, because the man had been commissioned by another chief factor to get furs for him, and there was a very great commotion at that time; there was a very great stir amongst the free-traders. That was the cause of the excitement.

5594. Mr. *Grogan*.] You stated that when you first went out to the colony there was a considerable excitement?—Yes; soon after I went out there.

5595. Is that what you have just now referred to?—Yes; what I have just stated was the cause of the excitement in 1849.

5596. Was it considered, then, that the inquiry into and settlement of that case created that excitement, or that it was caused by the presence of the pensioners; which of the two?—The jury found them guilty of illicit trading, but the factor who had brought forward the action requested that no punishment might be awarded, and the consequence was that they went out of court crying out that they had gained their object in having free trade.

5597. And then the colony became pacified?—When they gained that point they were well satisfied.

5598-9. During the time that you were out there as Governor had you any further trouble connected with this question of the illicit trade in furs?—No, I had not; there was a little matter which arose in consequence of five Indians descending from the boats and they were taken up.

5600. Mr. *Roeback*.] But was not the chief cause of discontent among the settlers what they conceived to be the maladministration of the law?—That was one of the things stated in the petition sent home.

5601. The maladministration by Mr. Thorn as recorder?—Yes.

5602. Was not that the great reason of the discontent?—That was one of the reasons assigned by the petitioners.

5603. You say "assigned"?—I must say "assigned."

5604. You do not mean by that word to signify your disbelief of the statement?—No, I do not, because I have previously stated that, through my representation, the Company removed Mr. Thorn from office.

5605. Mr. *Christy*.] Do you know anything at all of the tariff of payment by which the hunters are remunerated?—Yes; the tariff is arranged by the Company.

5606. It is arranged differently in different districts, is it not?—I cannot speak as to that; I can only say as to Red River; for my knowledge as to other places does not go beyond hearsay; I can only confine myself to my own district from my own knowledge; from my own knowledge, 2 d. a pound was that which was given until lately; the last year or two the pemmican became much more scarce, and there was an increase of a halfpenny. They gave 2½ d. a pound for pemmican, and the fat was 3 d.

5607. *Chairman*.] The payments were in money, I presume?—Yes; at the Fort, at the Red River, they paid in money, or rather it was an equivalent for money, for they gave the Indians an order upon the store; the Indians generally laid out the greater portion of their money at the store in buying supplies.

5608. Mr.

5608. Mr. Christy.] Do you draw a distinction between what I term the tariff and the standard to trade?—The tariff is what is arranged by the Company; I am now speaking of the provisions; I do not know anything of the tariff of furs; I had nothing to do with the furs.

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5609. Had you any knowledge whatever of the standard to trade as erected in the colony while you governed the Red River Settlement; by that I mean to say the rate at which the hunters were paid for their labour, for the furs which they produced to the Company?—What price the hunters got I am not aware of; but whatever price they got I imagine that they were satisfied, for if there was any dissatisfaction upon that head they would take their furs, or have them conveyed to Pembina, where there was an opposition American trader; and I must say that at the time when Mr. Harriett was at Pembina there were greater prices given at Pembina than at Red River, and there are greater prices at Red River than at the back settlements; that is all I know of it.

5610. Do not you think that the inducement to get a greater price at Pembina was one great cause of the smuggling or illicit trade which was carried on in furs?—I confess that that was my own opinion; but I had nothing to do with the fur trade, and of course I had nothing to do with those parties; if I had been a fur trader, I should have adopted a different course myself.

5611. The great value of your evidence here is not from what you may say from hearsay, but from the conclusions which you were able to form, having lived there and governed that district during the time that you were there, and from the information which you can give from your own knowledge to this Committee: What I may call the smuggling or the illicit trade was in 1849 carried to a great extent, was it not?—I think much less then than subsequently, because, as I said before, that chief factor, Mr. Harriett, who was at Pembina, was giving very large prices, and I heard that the competition was not equal to meet the prices given by the Company; the Company gave very large prices.

5612. Then am I to understand you to say that you think that the illicit trade in furs has been rather on the increase of late years?—Certainly; as far as I have had opportunities of judging, I should say that the increase was considerably greater of late; it was done *sub rosa* at first; it was done more privately and clandestinely at that time; after 1849 they got more open in their defiance of the Company and in smuggling furs into the States more largely; if they came to the fort and did not get the sum they asked, they said they would take them off to Pembina.

5613. Taking a comparative view, between the time when you went out in 1849, when the excitement occurred, and the time when you came home in 1855, your opinion is that the smuggling or illicit trade was rather on the increase?—I should say so; that there were a great many more private traders than there had been previously; openly so.

5614. Chairman.] I suppose in proportion as the population increased in the settlement, the probability is that the illicit fur trade would increase also?—I think so.

5615. Mr. Grogan.] When did you leave Red River Settlement?—I left Red River Settlement in August 1855.

5616. How did you return to this country?—I came by York Factory.

5617. You went out to York and returned by the same route?—I did, as the easiest route that I could take with a family.

5618. Was your attention at all called to the route which the North-west Company were accustomed in former times to use from Red River Settlement to Fort William at the head of Lake Superior?—No; the only account that I know of a late date, is that of the Bishop of Quebec, who took that route, and he had many disagreeables to contend with in taking that route.

5619. You described that in going out your family were four weeks in an open boat?—Yes.

5620. What river did you go up; was it the Nelson?—Yes.

5621. Were there many obstructions or portages during that journey?—Thirty-three portages, I think, and the longest one was about three quarters of a mile.

5622. Were the portages or obstructions in the river of that very serious nature; that they could not be removed except by considerable trouble and expense?—I think they could be removed at some expense.



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5623. Would it be very expensive?—Yes, because you would have to build places to locate your men; and to get food would be difficult.

5624. You also described to us that in the spring of the year when the snow began to melt about the neighbourhood of Red River certain parts of the country were more or less inundated every year?—Yes, some parts.

5625. If the obstructions to which you have just referred on those rivers were removed, would not that flooding, in all human probability, disappear?—They could drain the land; it would be a very great expense to drain it.

5626. If, in fact, the outfalls of those rivers were improved, there would probably be no floods?—I was there during a flood. I was there in 1852. They are flooded every 26 years. There was a flood in 1800, another in 1826, and another in 1852. When I was there the whole country was flooded.

5627. But if the course of the water in the rivers were improved by the removal of these obstructions, would it not *pro tanto* diminish the extent of the flood?—But we have no obstruction of that kind in the immediate neighbourhood of Red River; it is on the other side.

5628. The Red River empties itself into Lake Winnipeg?—Yes.

5629. Lake Winnipeg discharges itself by Port Nelson into the sea?—Yes; there are two discharges, but those are remote from the settlement.

5630. If the outlet to the sea from Lake Winnipeg, which receives the waters of the Red River, were improved, which you have described as perfectly practicable, would not the probability of floods in the Red River be proportionately decreased?—It would, certainly, if the water could get an outlet.

5631. Mr. Charles Fitzwilliam.] Do you consider the monopoly of the fur trade a means of advancing the colony, or a bar to its advancement?—A monopoly is no advance to any civilisation.

5632. Do you consider the monopoly a curse or a blessing to the country?—I think that the management of the Company, with the Indians, has been a means of keeping them longer than would have been the case if they had been without the aid and assistance of the Company. If there had been free trade, if the trade had been thrown open, I think that there would not have been the number of Indians which they at present have in that territory.

Richard King, Esq., M.D., called in; and Examined.

R. King, Esq., M.D.

5633. Chairman.] I BELIEVE that you have had opportunities of becoming well acquainted with a portion of the territory occupied by the Hudson's Bay Company?—I have.

5634. Will you have the goodness to state to the Committee under what circumstances you have formed that acquaintance with it?—I went out in 1833 as surgeon and naturalist to the expedition in search of Sir John Ross.

5635. Mr. Edward Ellice.] How long were you engaged in that expedition?—From 1833 to 1836.

5636. That is about 24 years ago?—Yes.

5637. Chairman.] Have you been there since?—I have not.

5638. What course did that expedition take?—It took the course from Montreal, passing on to Lake Huron: from Lake Huron leaving the Red River Settlement on the left side, passing across Lake Superior, then on to La Crosse Lake, from there to Athabasca, down the Slave River to Great Slave Lake, down the whole course of the Great Slave Lake, and then the Great Fish River to the sea; that is that great river which lies at the eastern extremity of the Great Slave Lake, which runs across to the great estuary there.

5639. Where did you reach the sea?—I reached the sea at the estuary of the Great Fish River.

5640. Which way did you return?—I returned home by the English River to Hudson's Bay, York Factory; so that I had a very extensive survey of that country.

5641. Are you under the impression that there is any portion of the territory which you then saw that would be available for the purposes of settlement?—Yes; I found a very large country, as it appeared to me at that date. I hold in my hand one of Arrowsmith's very best and recent maps, he being the great authority upon that country, and the square piece of country which I always looked

looked upon as a very fertile valley is there distinctly shown. It is bounded on the south by Cumberland House, on the Saskatchewan; it is an enormous tract of country. Cumberland territory is, according to Sir John Richardson, I find, several thousand square miles. Then it is bounded by the Athabasca Lake on the north. I am not now exactly giving it north and south. The sources of the Athabasca and the sources of the Saskatchewan include an enormous area of country, if you take those boundaries. It is in fact a vast piece of land surrounded entirely by water. When I heard Dr. Livingston's description of that splendid country which he found in the interior of Africa within the equator, it appeared to me to be precisely the kind of country which I am now describing. I may state that I passed through a great portion of that country; but of course what I am saying as to the larger portion that I am now speaking of, is not only from my own personal observation upon it, but from inquiry upon the spot, seeing the nature and extent of that country. This large portion which I describe as within this area I looked upon as the most fertile portion which I saw. On this map it is very clear. You will see the country entirely surrounded by water.

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5042. What do you mean by "surrounded by water"?—There is just a little portion of height of land, which divides the sources of the Saskatchewan from the sources of the Elk River or Athabasca, which does not seem to be surrounded by water.

5043. Sir John Palmington.] Are not the sources of the Saskatchewan very near the Rocky Mountains?—No.

5044. Mr. Grogan.] You are speaking of the northern branch of the Saskatchewan?—Yes.

5045. Chairman.] Do you mean to express an opinion that the whole of that territory is suitable, as regards soil and climate, for the purposes of cultivation?—I was told by the traders there generally that it was precisely the same land as that which I passed through, namely, a rich soil, interspersed with well wooded country; here being growth of every kind, and the whole vegetable kingdom alive.

5046. In what time of the year were you there?—It was just at the approach of spring; then I returned again in the autumn, so that I saw parts of the country in both spring and autumn; but my principal observations were taken in the spring; the ascent of the rivers gave me that opportunity.

5047. What is the nature of the soil?—It was a black mould which ran through that country, evidently alluvial soil; the whole of that country at Cumberland House is entirely alluvial; it has been described by nearly all the travellers. Franklin has been very rich in his description; and particularly Ross Cox, and many others; they speak of the richness of that part of the country. I have here the quotations; there are a few observations of Ross Cox; there are also those of Franklin.

5048. Mr. Edward Ellice.] Were you personally up at the sources of the Saskatchewan?—I was not.

5049. Have you been at the Elk River?—Not at the sources. I have been on the Athabasca Lake.

5050. Was that the route which you took with Sir George Back?—Yes.

5051. I suppose your means of observation were similar to those of Sir George Back?—No; very different indeed.

5052. In what respect?—He went rapidly in a canoe, and I went with a very slow heavy brigade party; I was days on the spots which I am now describing.

5053. Mr. Grogan.] In describing this large tract of country as well adapted for colonization, do you include in your observation the climate?—Yes.

5054. Are you able to give us any account of the degree of temperature in winter there?—I believe the average temperature to be about the same as at Montreal in Canada.

5055. Viscount Guichenot.] Do you mean the average temperature on the Athabasca Lake?—That is the northern boundary; I am now speaking of the very vast area of which the Athabasca is the northern boundary.

5056. Mr. Edward Ellice.] Are you aware of the opinion of Sir George Back with regard to the temperature of that region?—No; I know Sir John Richardson's opinion pretty well, on which he founded it.

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5657. Did you take any observations yourself?—Yes; there are two volumes recorded of my visit to that country.

5658. Mr. Grogan.] Was it any part of the object of your expedition to look at the mineral productions of the country?—Yes; it is very rich in limestone; limestone abounds in all directions.

5659. Are there any other minerals?—I do not know of any other minerals except limestone; limestone is apparent in all directions; the character of the country presents gneiss and granite; and of course where limestone is seen one draws an immediate inference as to its productive character. The birch, the beech, and the maple are in abundance; and there is every sort of fruit; there is likewise barley.

5660. Did those trees which you have described appear to be well-grown thriving trees, or did they look like trees exposed to severe weather, cramped and gnarled?—They were very vast and splendid in their growth.

5661. As if the climate suited them well?—Entirely; there is one portion of London, which I believe is familiar, and which I have often pointed out to my own friends as the sort of country to which I am referring, namely, just at the northern part of Kensington, the magnificent trees round Kensington Park.

5662. Do you mean to say that the trees which you saw in that district would bear comparison with those trees?—They would bear comparison with anything of the kind. There are enormous rafts coming down the rivers towards Canada in all directions where they have opportunities.

5663. In the tour in question did you come upon the coal formation at all?—Not at all; I did not touch upon the coals. I know of the existence of it.

5664. Then it is your opinion, with regard to that large continent which you have travelled over, that the portions within the limits which you have pointed out are the only parts of that district fit for colonisation?—Not at all; I mean as arable land. The whole of the Great Fish River, down to the Polar Sea, is the finest grazing country in the world, as far as grazing is concerned; of course it is alluvial soil based upon sand, and therefore not an arable land.

5665. What would be the climate there?—The climate there of course would interfere very largely with it, but still, comparing it with Northern Europe, it has all the facilities of the northern parts there.

5666. Mr. Roebuck.] Supposing you draw a straight line from York Factory westward until that line touches the Rocky Mountains, all south of that down to the boundary line of the United States, I take to be, in your opinion, perfectly inhabitable?—No, I cannot speak of that. My attention was entirely devoted in those days (and I have paid very little attention to that country since that date) to the line of country which I passed through.

5667. You have spoken of the Saskatchewan?—Yes, I speak of that.

5668. Did you go down there?—I did not.

5669. Then you speak of it by hearsay?—I speak of it entirely by hearsay. My inquiries at Cumberland House, at Norway House, and at the Athabasca, were, "To what extent does this go?" I found that in many instances in that country the capabilities of cultivation did not extend for more than two or three miles. Upon my inquiry at Cumberland House, as well as at the Athabasca, they told me that the whole line of country was precisely the same, and they pointed out those divisions which I have just named to the Committee.

5670. But the Athabasca is a good deal north?—Yes.

5671. Were you ever at Lake Winnipeg?—I know nothing of Lake Winnipeg; I did not go to the Red River locality, although within close proximity to it.

5672. Then you know nothing of the southern portion of that country?—No; I know that to be the best part; I know it to be very rich.

5673. Mr. Christy.] You have not any doubt but that this district through which you travelled possesses the highest qualities for colonisation, if properly opened up?—Certainly.

5674. First by an exploration, and afterwards possibly by roads?—I do not think it requires any exploration. You will find that numerous travellers who have passed through that country are of the same opinion; there is no doubt about its capabilities of cultivation.

5675. Both

5675. Both as regards, its natural products, its climate, and every other respect?—Yes; it is equal to anything which Canada can produce. D. King, Esq., M.D.

5676. Did you in your journey come in contact with any of the native tribes? 15 June 1857.  
—Yes, I passed through portions of every tribe in the territory.

5677. Will you describe what they were?—The first I came amongst were the Chippewas, bordering upon Lake Superior; they were then almost a settled people, so that I had very little opportunity of judging as to any effects upon the fur trade; they appeared to me totally independent of the fur trade, for they were living upon fishing, and so on. Then the Crees, the next northern tribe to the Chippewas, were very small in number; I found that the Crees had immensely decreased, and that they were gradually decreasing: they had decreased very greatly in Franklin's time, and they have very considerably decreased since Franklin's time. Then the next northern tribe are the Chipewyans.

5678. Did the Crees give you any reason for having decreased?—Yes; their account of the decrease was precisely what they told Franklin, that the "fire-water" had destroyed them all, which is recorded in Franklin's narrative; that that had been the cause of reducing them in numbers. Then there was no doubt another cause operating at the same time, which cause was that the animals no longer existed; the beavers had been all driven off. Beginning from the south until you get to the Athabasca, nearly all those forts display to you evidence of very large tracts of the country having been exceedingly well supplied with game; and the Indians have entirely gone north; the Crees have gone north.

5679. Mr. Edward Ellice.] Are you speaking from your own personal observation?—Yes.

5680. Were you at those forts?—Yes.

5681. What fort were you at?—Athabasca.

5682. Twenty-three years ago?—Yes. It had evidently been a building on a very grand scale, but it was dilapidated.

5683. Mr. Christy.] In answering this question, will you speak generally of the native population, the Indian tribes; do you think that they are generally decreasing?—No, I do not. The northern tribes are certainly, many of them, on the increase; the very far distant tribes, I have no doubt, are so. My own opinion is, that the Chipewyans are on the increase considerably. The copper Indians are very much on the increase. The Chipewyan race you may say is the northern race dividing the Hudson's Bay territory into two parts; they extend from the Pacific to the Atlantic on the other side, and I think that the Chipewyan race is on the increase. I think that all the other tribes south of that are decidedly decreasing.

5684. Do you think that the southern tribes are decreasing, from the circumstance of their being much more dependent upon the Hudson's Bay Company?—Unquestionably, in many respects, I think.

5685. Will you describe in what way you think that their decrease arises from their dependence upon that Company?—In the first place they have lost their original mode of hunting; the use of the bow and arrow is gone, the gun having been placed in their room, by which they become dependent upon the Company for their powder and shot. To make an Indian really a hunter with the bow and arrow, a deer-stalker, takes a whole life; you cannot re-teach the present generation; it takes a whole life to learn to approach at that distance the animal for which the bow and arrow come into use. Of course, that is one of the main causes of their decline.

5686. Then you think that the ammunition which they obtain from the Company is a lever by which they may always be brought to them?—Yes.

5687. Because if they did not obtain ammunition they would not obtain the furs of the animals which they kill?—Exactly so. Then they get into a state of degradation, and they become fishermen.

5688. Do you think that the usual practice of taking the fur-bearing animals is by trapping or by shooting them?—Of course the Company require them to trap if they can, because there are no holes in the skin; but they shoot the greater part of them, I think.

5689. Are they very dexterous in hitting them upon the head to avoid injury?—They kill them in whatever way they can, but mostly with the gun; there is

R. King, Esq., M.D. very little trapping; the beaver is gone; the beaver was generally trapped; the beaver does not now exist in the country anywhere.

15 June 1857. 5690. Mr. *Edward Ellice*.] What do you mean by "the beaver not existing in the country"?—It does not exist in the old haunts; there are very few beavers in that country now; I should think it is one of the scarcest animals; I did not see a single beaver during the whole of my route, where they were formerly in myriads I was told.

5691. Mr. *Christy*.] Have you any instance, from your personal knowledge, of any severity of treatment on the part of the Company towards the Indians?—No; I do not know a single instance in the route that I went; they could not do it; it is an impossibility; they are on sufferance there where I passed through; the Indian race is by far too numerous; the fur trade is only on sufferance; of course, in these northern places; the post is only held by a single white man; the half-breeds will always go with the Indian races, and I do not think it would be possible for the Company ever to inflict anything; the Indian rate would cut them off at once, of course.

5692. *Chairman*.] Had you any means of forming a judgment whether the use of ardent spirits prevails much among the Indians?—No; ardent spirits were never introduced into the country beyond the Chipewyan races. The Chipewyan Indians are a very numerous tribe indeed; they extend from the Pacific to the Atlantic, and they cut off all the southern tribes. The Chipewyan Indians never would take spirits, and no spirits go through that district of country. The Chipewyan Indians always refuse spirits; that is a well-known fact; all the southern tribes are highly addicted to them.

5693. Do you suppose that these Chipewyan Indians refuse spirits because they dislike the use of them, or is it from their geographical position that there are means found to prevent spirits penetrating much beyond the southern limit which they inhabit?—It has never been accounted for, but it is clearly a fact. We know that the Chipewyans extend also into the American Fur Company's territory, and the American Fur Company cannot trade with them with spirits.

5694. Do those who are in the territory of the United States always eschew the use of spirits?—Yes; I have always understood that the Chipewyan race, in all instances where they come across the American Fur Company, or the Hudson's Bay Company, have refused spirits.

5695. Mr. *Christy*.] Have you any knowledge of the American Fur Company?—Not the slightest.

5696. In the route which you took can you tell us anything of the products of that country and of those seas; do you suppose that there would be any other source of traffic than that of furs in that northern region through which you passed?—I have always understood that in the cetacia the country is very rich, the whale and the fat-bearing animals; the Polar Seas I have always understood to be very rich in the fat-bearing animals, take the whale, and the seal, and the porpoise.

5697. *Chairman*.] That can only affect the Indians on the coast?—Only the Esquimaux; it has nothing whatever to do with the Hudson's Bay Company. Taking the lines of those rivers, I have always understood the Coppermine River and others to be very rich in galena; the Coppermine River is very rich in copper; coal and galena were also found along the whole line of that coast.

5698. Mr. *Edward Ellice*.] That is in the Arctic Sea?—Yes; still it is within the Hudson's Bay Company's territory as far as the Mackenzie.

5699. Mr. *Christy*.] You did not hear of the Company having developed those resources at all?—Not in the slightest degree. One of the main causes of the decline of the natives, I consider is the fact that they have caught our European diseases, which circumstance is recorded by Franklin, by Richardson, and by everybody almost who has passed through the country. The measles and the hooping-cough carry them off by thousands. The influenza was raging at the time when I passed through; the people were dying by hundreds. The small-pox has also carried them off. There was not a single medical man of any kind whatever in the country. When I arrived at the Fort, as the great medicine man, the amount of labour which I had to devote to the subject was something beyond all conception.

5700. *Chairman*.]

5700. *Chairman.*] Do you know whether any pains have been taken to introduce vaccination among the Indians?—Not in my time; but I have understood since that it has been the case; there was not the slightest vaccination in my time. I am now speaking of from 1833 to 1836. R. King, Esq., M.D.  
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5701. *Mr. Christy.*] Do you think that the introduction of the system of medical men has been since the period when you were in the country?—Entirely.

5702. You, as I understand, are well acquainted with the advantages arising from medicine and its appliances?—Yes.

5703. Perhaps you are not aware that since your time some of these appliances have been introduced; such as a doctor at some of the forts; it has been given in evidence before this Committee that that is the case?—I am not aware of it.

5704. Is there any other point which you would like to state to the Committee with regard to the capabilities of the country?—No; I would only express that in going through that country my position was that of a naturalist; I came away certainly with the impression that it was a very magnificent country in many parts of it; of course there were barren portions; but upon the whole, up to the Athabasca Lake, it appeared to me to be capable of any extent of cultivation. Governor Williams had opened Cumberland House. I found implements in the field and capacious barns; it evidently had been placed under culture; and I was told at the time that Governor Williams had been ordered away for his partiality in this respect.

5705. We have had some information given us as to Cumberland House; I directed some questions to a clerk of the Company who had been through that country; he told us that the agricultural operations had failed; that the barns had been built in anticipation, and consequently had not been used:—I never heard that.

5706. Will you be so good as to tell the Committee what you think was the state of things, with regard to agriculture, in that district when you were there?—On approaching Cumberland House I found a little new colony established of about 30 persons; a Canadian and Englishman, and half-breeds; they had their fields divided out into farms, and other things. It was described to me by my men that there was a little colony there. I bought a calf of them; I gave 7s. for it; a fat bullock sold for 12s. It appeared to me in going over their farms that they were very highly cultivated; there was corn, wheat, and barley growing. They told me at the time that they were ordered off; that the Company would not allow them to go on cultivating; that it was against the Company, and that therefore the thing was to be broken up. I do not not know whether it was broken up or not. I did not return by that route, otherwise I should have ascertained that fact. Then I went on to Cumberland House, and there I found that they were really borne out in what they were stating, for I found that the barns and the implements were in the field, and that the cows and oxen, and horses, and everything, had gone wild. I inquired the reason of it; they told me that Governor Williams had a penchant for farming, and that the Company had ordered him off somewhere else; that is what I was told.

5707. Did you discover on your inquiry that this number of farms, whether they had been established in numerous or single holdings, had been established at the expense of the Company, and that the Company had found them too expensive to carry on?—Not at all; I always understood that Governor Williams had done it, and that it had been very much against the approbation of the Company; that he had got hauled over the coals and ordered off; that was what they told me at the time. I must say that it appeared to me to be the truth.

5708. *Mr. Edward Ellice.*] Who told you that?—The person in charge of Cumberland House; the whole of my party of 17 men heard the same thing.

5709. Was that before Chief Factor Leith left his money?—Mr. Leith was at that time in Canada.

5710. His bequest for the maintenance of cultivation at Cumberland was after your time?—Yes.

5711. *Mr. Christy.*] If I understand you, you found that the cultivation had been abandoned at that time from some circumstances or other?—Exactly.

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5712. And on inquiry you found that it was by order of the Company that it had been abandoned?—Exactly.

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5713. Mr. *Edward Ellice*.] The cultivation having been on the part of the Company?—I do not know. I always understood that Governor Williams had done it himself.

5714. How long was Governor Williams there before you were there?—He was there in Sir John Franklin's time.

5715. Was there any settlement there at that time, or was it merely a trading post?—It was a trading post at that time; there was a settlement there at that time.

5716. Was not the cultivation given up by those who had been undertaking it because it was not profitable—I was told that it was no such thing; one of these little new colonists came to me, and thought that I was a Government officer, and could interfere, and I said that I had no power.

5717. What to do?—To prevent the Company driving them away from their farms, which they had been cultivating for some years.

5718. What do you call "farms"?—There were about 30 of them in number; I should say there were 1,500 or 2,000 acres under cultivation; this was on the approach to Cumberland House, not at Cumberland House.

5719. You talk about 2,000 acres having been in cultivation in 1833: how do you reckon that there were 2,000 acres; do you mean to say that you could judge yourself, from personal demonstration, that there were 2,000 acres under cultivation at Cumberland?—I have been a sportsman from a boy of about four or five years of age; I have been over a good many acres; I will not bind myself down to the quantity; it might have been 1,000, 1,500, or 2,000 acres; they were very small fields; they were not large parcels of fields.

5720. How large were those fields, do you think?—I should think they extended perhaps to from three to four acres in each field.

5721. Was that cultivation continuous?—That I cannot tell; I merely landed there for the purpose of getting some provision, and I bought a calf, and I paid them 7 s. for the calf; that is all I know; they came and pleaded with me.

5722. Mr. *Christy*.] I understand that, so far from your being informed that the cultivation had been prosecuted by the Company, and become profitless, and had been consequently abandoned, you understood that it was private enterprise, and that it had been prosecuted with great success, to your own positive knowledge, from having seen the crops growing; and that a complaint was made on the part of those persons who were so engaged in agriculture, that they had orders to quit, and to cease to cultivate the land?—Precisely. They also said, "When you get to Cumberland House you will have the evidence there that Governor Williams was ordered to withdraw." Everything had the sign of it, as these little colonists had told me; there was the evidence that a sudden termination had taken place to the agricultural pursuits there.

5723. It is notorious that cultivation did exist there to a very considerable extent?—Yes; it cannot be denied, I think.

5724. It is interesting to know why it was abandoned; do you imagine that it was abandoned from its profitless character, or do you suppose that it was abandoned because it did not answer the purpose of the Company to establish a colony of that sort in that position?—I concluded that it was entirely owing to an objection to the colonisation of the country.

5725. Mr. *Edward Ellice*.] What were the colonists; were they Englishmen?—There was a Canadian and there was an Englishman; and there were half-breeds at this little colony.

5726. What were their names?—I cannot tell you; I do not recollect them. If you will allow me to refer to my book I dare say I can give them to you. You will find the entire account here, which was published in 1836 (*handing the first volume of the Witness's book to the Honourable Member*).

5727. Mr. *Christy*.] Are we to understand that you believe that there must have been at least 500 acres of land under cultivation?—I am quite satisfied that there were at least 1,000.

5728. And

5728. And you think that the cultivation was successful?—Quite successful; *R. King, Esq., M.P.*  
the wheat was looking very luxuriant.

5729. Were there any other kinds of crops?—There were potatoes, barley, *15 June 1837.*  
pigs, cows, and horses.

5730. *Mr. Roebuck.*] The wheat, you say, was very luxuriant; how far north was it?—I do not know what latitude you will bring it in, because I have always restricted myself, as far as that goes, to what you call climate. I will suppose that it is a degree and a half north of Montreal; about 90 miles of north latitude I suppose it is.

5731. *Mr. Christy.*] What distance from Cumberland House was it?—This new colony was within 30 or 40 miles, in a direct line, I should say.

5732. Was that the one where you saw the corn growing, and where you bought the calf?—It was the same spot.

5733. *Mr. Edward Ellice.*] I will read your account; you say, "The ground about the house is not only excellent, but fit for immediate culture. The house" (it is in the singular number) "a few years ago was in most excellent repair, and exhibited a very productive farm, the effect of the continued care and attention of Governor Williams, who had a great partiality for agricultural pursuits. A vast change, however, had taken place at the time of our arrival; the house was all but falling to pieces; the implements of tillage, and the capacious barns, were silent monuments of waste." Whose property had those implements of tillage and the capacious barns been, do you suppose?—I do not know; I never asked that.

5734. Do you suppose that they were the property of small colonists?—No; that has nothing to do with the colony; I wish you to cut that colony off entirely from the House; it was attributed by the parties there to Governor Williams in the representation which was made to me, that he had done it of his own will, but with what resources I cannot say.

5735. Was the same state of things exhibited in the little colony when you came to it?—Not at all; it was only in its beginning; that was a most flourishing affair.

5736. Where was it then that the little colonists complained of agriculture having been ordered to cease?—They complained on the spot; they appealed to me as a Government officer, thinking that I could relieve them.

5737. Where was it?—On their own little colony.

5738. You say that it was in a most flourishing condition; how is that compatible with the statement that they were ordered off?—I cannot speak of its being compatible; I can only tell you that I found this little colony of fields in the highest possible state of cultivation; I bought a calf of them; and when I was going away they said, "Cannot you help us? you are a Government officer; the Company have ordered us to quit, and we shall be ruined."

5739. You do not know whether they did quit?—No.

5740. *Viscount Goderich.*] Were the farms which you speak of close together?—The whole farm of Governor Williams, which was the most extensive affair, I believe, was about a day's march.

5741. You have spoken about 1,000 acres being under cultivation; were the 1,000 acres close together or scattered about?—They were all together; they were divided into separate fields, and each man had his particular allotment.

5742. *Mr. Edward Ellice.*] Was that in this little colony?—Yes.

5743. Then at the time when you were there it was flourishing?—Unquestionably.

5744. Therefore you have no idea at all that that colony has been ruined?—I have not indeed; not the slightest idea.



*Martis, 23<sup>e</sup> die Junii, 1857.*

MEMBERS PRESENT.

Mr. Blackburn.  
Mr. Christy.  
Mr. Edward Ellice.  
Mr. Charles Fitzwilliam.  
Mr. Gregson.  
Mr. Grogan.  
Mr. J. H. Gurney.  
Mr. Kinnaird.

Mr. Labouchere.  
Mr. Lowe.  
Mr. Matheson.  
Sir John Pakington.  
Mr. Roebuck.  
Lord John Russell.  
Viscount Sandon.

THE RIGHT HON. HENRY LABOUCHERE IN THE CHAIR.

*James Tennant, Esq., called in ; and Examined.*

*J. Tennant, Esq.*

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5745. *Chairman.*] YOU are Professor of Mineralogy, I believe?—Yes, a King's College.

5746. Has your attention been at all directed to the mineralogy of British North America?—Yes; I have had occasion to examine minerals which have been brought over from time to time, and have examined a very large quantity. In 1850 I examined also a quantity of minerals and rock specimens which were brought over by Dr. Rae. The result of that examination is published in Dr. Rae's Journal, at page 215. There is there a list of the specimens. With your permission, I will read over the heads of them. We found specimens of gneiss, felspar, granite, mica-slate, quartz rock with felspar, argillaceous limestone, quartz coloured by oxide of iron and containing gold; hornblende slate, talcose slate, quartz rock with chlorite and copper pyrites, carbonate and silicate of copper, with copper pyrites, calcareous spar, quartz and iron pyrites. Those are the principal minerals and rock specimens which are found there.

5747. Has your information with regard to that country led you to form a high estimate of its mineral resources for practical purposes?—I believe that minerals exist there in large quantities, but whether it would be profitable to work them would be another consideration.

5748. You have not that detailed information, probably, upon the subject which would induce you positively to pronounce an opinion upon that point?—No; I should rather discourage than encourage any person to attempt it under present circumstances, on account of the difficulties. With your permission, I will point out on the map a few of the different districts in which these minerals occur. The case which I have here contains specimens of silver and copper from the Lake Superior district. Those have recently been purchased of a German miner.

5749. *Mr. Edward Ellice.*] On which side of Lake Superior?—On the American side of Lake Superior; it is there where the largest amount of copper is found. I believe on the English side it has been unprofitable to work it, but on the American side very large masses of copper have been found.

5750. *Chairman.*] Are there any mines actually worked at the present time in British North America?—That I am not aware of. I believe they are not worked profitably.

5751. Have they been worked at all to any extent?—Yes; I believe to a considerable extent, and that they have proved unprofitable; the large masses of copper occur on the American side; you get there occasionally a piece of many tons weight; I have a specimen brought from the same district which weighs 1 ton 14 cwt.

5752. Are the American mines worked to any extent?—To a considerable extent.

5753. Profitably?—Only some of them; they go recklessly to work and I believe

believe that there are more failures than successes; that is what I have gathered from the gentlemen who have been interested in the affair. The specimen of copper which I have is about the size of the top of this table, and eleven inches thick; it is in the entrance hall of the Polytechnic Institution; it is a solid mass; it was brought over in 1849, with a view of establishing a mining company in this country, and they did not succeed; the copper was then sold merely for its value.

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5754. Will you point out any other districts in this territory of the Hudson's Bay Company, where there is reason to suppose that minerals exist to any great extent?—I would mention the Copper-mine River, from which there is a large specimen of pure copper in the collection of the British Museum, precisely similar to that which occurs on the American side of Lake Superior.

5755. *Mr. Edward Ellice.*] By whom was that specimen brought home?—By Mr. Hearn; it is in the glass case No. 1, in the Museum; then if we go to Queen Charlotte's Island, gold has been brought from that island; in 1850 I was employed at the British Museum to clean and arrange their specimens. I purchased for the trustees some specimens of gold brought from that island, precisely similar to the gold quartz which occurs in Australia, and also in the northern parts. When I examined the specimens brought over by Dr. Rae, they were so similar that we could not distinguish the difference.

5756. *Chairman.*] Does the structure of any part of that country resemble the structure of the mining districts in Siberia?—I should say very much so. I have brought Sir Roderick Murchison's large work on Russia, to show the similarity, from the small number of minerals that we have, and the close analogy which I should expect of the same kind of minerals occurring in the Hudson's Bay Company's territory. There is a very long catalogue of them here.

5757. *Mr. Christy.*] Will you tell us the page in which it occurs in Sir Roderick Murchison's book?—In the Appendix, at page 640.

5758. *Mr. Grogan.*] Do you mean that the minerals mentioned in Sir Roderick Murchison's book are identical with those which you have now mentioned as being found in the Hudson's Bay territory?—Many of them are identical, and judging from the similarity of rocks, which occur in different parts of the Hudson's Bay territory, I should expect similar minerals to occur here. We have also on the coast of Greenland a great resemblance to many of the minerals. The cryolite occurs there, the substance from which the new metal, aluminium, has lately been obtained; then we find lead ore there, in large quantities, combined with silver.

5759. *Mr. Edward Ellice.*] Is that in Greenland?—In Greenland. I believe that has been profitably worked.

5760. By whom?—By a company. Mr. Vivian, I think, is a gentleman connected with it.

5761. An English company?—An English company; it is working very quietly; a gentleman of the name of Taylor is the manager.

5762. Is it worked at this moment?—I believe it is at this moment. Mr. Taylor left England about 2 months since.

5763. Do you know whether it is profitably worked or not?—I believe it is profitably worked. Mr. Taylor told me that it was so, when he was in England 12 months since.

5764. Are those the only persons who have tried to produce ore from Greenland?—No. It was attempted some years previously by some persons from Copenhagen, I think, and they have not succeeded on account of the difficulties of transporting the materials from the bays. Then taking those points, which I have mentioned, Queen Charlotte's Island, on the west part of the territory, Lake Superior as another point, and the Copper-mine River to the north of the territory, I should expect to find in the intermediate districts, where we have a similar class of rocks, many minerals which are analogous to those of the countries to which I refer.

5765. *Mr. Roebuck.*] Is there a geological theory which supposes that in all mountains running north and south, certain classes of metals will be found?—That is found generally to prevail; it is not safe to say that it is always so; we have many exceptions, but in most cases that does occur.

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5766. There is a theory of that sort?—Yes.

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5767. Mr. Christy.] I understand that, judging from your acquaintance with the geological character of Siberia, as well developed, and from your knowledge of these points which you have mentioned in North America to the north-west, and to the west at Queen Charlotte's Island, and that district which lies about Lake Superior, you believe that from the natural strata, and the similarity of the one district to the other, the same minerals would be found in both?—I should expect to find them.

5768. Is there any other point which you would like to bring before the notice of the Committee with reference to this subject?—I have nothing more to say, but simply to exhibit the specimens which I have here; I would refer to the discovery of mercury in California, which was not known to exist previously to 1850; here is a specimen of the ore; it is so rich that it produces a larger revenue than any of the gold mines; it was first of all mistaken for an ore of iron.

5769. Mr. Roebuck.] Surely quicksilver mines were found in California before 1850?—It was I think only in 1850 that the mines were worked to any extent; they were discovered at the time when the Americans and the Mexicans were at war.

5770. Were not they worked originally by the ancient Spaniards; by the Jesuits?—Not to any extent, I believe.

5771. But the Jesuits worked them to some extent?—They worked them to some extent.

5772. Therefore, working them to some extent, the existence of mercury there must have been known?—It was known, I should say, to a very small extent; but this is worked now to an enormous extent; I am assured that parties are clearing about 40,000 l. a year from it.

5773. Mr. Grogan.] Have you received any information with respect to gold, or any of those minerals, being found on the west side of the Rocky Mountains in British territory; at Thompson's River or anywhere in that district?—No; here is the first nugget of gold which was brought from Australia (*exhibiting the same*), and it is very similar to the quartz with the gold; that was the first nugget which was brought to England in 1851; tin occurs also there as we are assured, which is another example; I believe it occurs there; I should expect to find it.

5774. Mr. Christy.] Garnets and also tin are found?—Yes; this is a collection from Australia (*producing the same*); but they are very similar to those specimens which occur in North America; these are the common diamonds which are found in the Brazils in their natural state (*exhibiting the same*); we believe that they are throwing them away in Australia at the present time; we are pretty confident that they are.

The Right Honourable Edward Ellice, a Member of the House; Examined.

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E. Ellice, M.P.

5775. Chairman.] WHEN did you first become connected with the Hudson's Bay Company?—Taking the question as connected with the fur trade of North America, my first acquaintance with it was in 1803, when I first went to Canada. The whole of the Canadian society, every person of eminence and of consequence there, was then engaged in the fur trade, it being the only trade of importance in the country. The trade was carried on with countries that are now civilised regions, and where large cities are established. It was carried on upon the lakes, Lake Ontario, Lake Erie, through the Michigan territory, upon the Ohio, the Missouri, the Mississippi, and in all the countries to the north of Canada. I was perfectly acquainted with the details of that trade in 1803, and with the persons interested in it.

5776. Had you before that date been connected with the North-west Company?—My connexion with the North-west Company dates from 1805. There were two companies then competing for the trade of the north-west from Canada. My father had supplied great part of the capital by which the whole north-west trade was conducted. There was a division of interest afterwards, and I became connected with what was called then the X.Y. Company, Sir Alexander

Alexander Mackenzie and Company, which carried on the trade in competition with the original North-west Company of Canada.

5777. Then was it with a third company that you were connected?—No; the two Canadian companies.

5778. What was the state of the country at the time that you joined?—The state of the interior country was very bad. First there was the competition between the two Canadian companies, then their competition with the Hudson's Bay Company carrying on their business from England. It was conducted with great extravagance; there had been frequent collisions between the Indians and the whites, and gradually everything became worse until about the year 1811.

5779. What country are you speaking of?—The north-west country, where the whole trade of the North-west Company was carried on; I mean the country to the westward of Lake Superior. In 1811, Lord Selkirk joined the Hudson's Bay Company, and that Company, which had been rather slower in its movements than the Canadian companies, became more active. Lord Selkirk not only took great interest in promoting the trade, but he became, beyond being a stockholder in the Hudson's Bay Company, the proprietor of a large tract of territory upon the Red River, where he made settlements for the purposes of agriculture.

5780. From whom did he buy that territory?—He bought that territory from the Hudson's Bay Company.

5781. What did he pay for it?—I believe it was a free grant.

5782. When you say "a free grant," I presume you mean that he paid some nominal sum for it?—The deed by which the Hudson's Bay Company granted this territory to Lord Selkirk, was dated on the 12th of June 1811, and it is called a grant of lands to Lord Selkirk, made under the seal of the Company. It says, "All that tract of land or territory bounded by an imaginary line running as follows, that is to say, beginning on the western shore of the Lake Winnipeg at a point in 52° 30' north latitude; and thence running due west to the Lake Winnipegosis, then in a southerly direction through the said lake so as to strike its western shore in latitude 52 degrees, then due west to the place where the 52d degree intersects the western branch of Red River, Assiniboine River, then due south from that point of intersection to the height of land which separates the waters running into Hudson's Bay from those of the Missouri and Mississippi, then in an easterly direction along the said height of land to the source of the Winnipeg River (meaning by such last-named river, the principal branch of the waters which unite in Lake Sagenayas), thence along the main stream of these waters, and the middle of the several lakes through which they flow, to the mouth of the Winnipeg River, and thence in a northerly direction through the middle of Lake Winnipeg to the place of beginning."

5783. Has this ever been published?—I believe not; it was a private transaction between the parties; then, after that the competition and the necessary consequences of that competition, the conflict of interest between the Canadian fur traders and the Hudson's Bay Company, became still more violent, and ended in frequent scenes of bloodshed. Without going into the details which are before the Committee already, a sanguinary action took place upon the Red River near the Red River Settlement, in which I believe some 16 or 18 people were killed. Lord Selkirk, by virtue of his assumed power as a magistrate, seized Mr. McGillivray, the principal partner of the North-west Company, at Fort William, and the whole of his property. The scene of confusion in the country became so great that the Government of Canada thought it time to interfere, and at all events ascertain the causes of this dreadful state of things; a Commissioner was appointed by the Government of Canada, Mr. Coltman.

5784. When was that?—The appointment of Mr. Coltman was in the year 1816, to inquire into and report upon the causes and the extent of the outrage which had taken place; Mr. Coltman made his report to the Government of Canada, which is printed; it is in the possession of course of the Colonial Office, and I believe is among the papers which have been presented to Parliament. Mr. Coltman recommended, as the only means of restoring peace, that some attempt should be made to unite the interests of the various fur traders in the country; nothing was immediately done, the state of affairs did not

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improve; on the contrary, it became worse; the state of the companies became worse; they lost large sums of money in the competition, and were brought nearly to insolvency; not only the companies in Canada, but the Hudson's Bay Company. In this state of things, I think about 1819 or 1820, Lord Bathurst, then Secretary of State for the Colonies, sent for me to consult me whether it was possible to do anything towards promoting a union between the companies. I undertook that matter, not only at his request, but from obvious considerations of interest, having become under considerable engagements for one of the companies; and after a very difficult negotiation, I succeeded in uniting the interests of the various parties, and inducing them to agree to carry on the trade after that agreement under the charter of the Hudson's Bay Company. At the same time, I suggested to Lord Bathurst to propose a Bill to Parliament, which should enable the Crown to grant a licence of exclusive trade (saving the rights of the Hudson's Bay Company over their territory), as well over the country to the east as over that beyond the Rocky Mountains, and extending to the Pacific Ocean, so that any competition which was likely to be injurious to the peace of the country should be thereafter prevented. From these different arrangements sprung the present Hudson's Bay Company, which is more, in fact, a Canadian company than an English company in its origin. The Act then passed under which the Company have since carried on the trade throughout the Indian territories beyond their boundaries exclusively by virtue of the licence.

5785. Were those enabling powers given by the Crown in that statute indefinite in point of time; were they to last for ever?—No; I suggested at the time that as temporary arrangements in these matters are best, which give all parties opportunities for reconsideration, the Crown should take power to grant a licence for the trade until the Act of Parliament should be repealed; but with respect to the company, that the licence should be granted for 21 years only, in order that it might be seen during those 21 years whether the experiment answered, and how far it might be expedient to renew it.

5786. Then under that Act of Parliament the Crown would have the power of either renewing this licence to the Hudson's Bay Company, or granting it to any other parties?—Yes; in fact the Crown would have the power, but that is a very limited power, because I took especial care in the Act to guard all the privileges of the Hudson's Bay Company. The Crown has no power by that Act to override the rights of the Hudson's Bay Company within their own territories.

5787. In what year was that Act passed?—It was passed in 1821.

5788. Were licences granted under that Act?—A licence was granted to the Hudson's Bay Company, immediately after the passing of the Act, for 21 years, which was surrendered in 1838; when the licence was given up, the Hudson's Bay Company applied to the then Government for a renewal of it for 21 years, and after a full examination by the Colonial Office and by the Board of Trade, of all the subjects connected with this question; after the Colonial Office had expressed themselves fully satisfied of the manner in which the trade had been conducted by the Hudson's Bay Company, and the manner in which the government of the country, so far as that depended upon them, had been administered, the Crown was advised to make a renewal of the rights for another 20 years, which expires, I think, two or three years hence.

5789. Who was colonial minister at the time when that licence was renewed?—Lord Glenelg was at the Colonial Office and Mr. Poulett Thomson was at the Board of Trade. The application was made to the Board of Trade in the first instance as the department to whom matters of trade of that description, especially the licence, were likely to be referred.

5790. What were the effects produced by this union upon the country?—The effects of the union were that peace was immediately restored.

5791. Will you have the goodness to state to the Committee what was the constitution of the company after this union?—The agreement for the participation of interest in the new company was, that the Canadian companies, whose interests had been before united, and the stockholders of the Hudson's Bay Company, should have, as nearly as possible, equal shares. It was then necessary to consider the interests of the gentlemen in the interior, who conducted the trade on both sides, and it was provided that whatever profits should arise from

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from the trade carried on by the Hudson's Bay Company, for the joint interest of the parties, should be divided into 100 shares, and that 40 of these shares should be allotted to the gentlemen in the interior, who commanded the posts, and superintended the general interests of the company, but who supplied no capital. It was provided that a certain number of those shares should be given as whole shares to the higher rank of servants, if they may be so called, chief factors, and that half a share should be given to a certain number of gentlemen in the immediate rank below them, called chief traders.

5792. Is that the system upon which the trade of the territory has been conducted, up to this time?—That is the system under which the trade has been conducted from that time to this.

5793. Are there no salaries, but are these servants of the Hudson's Bay Company paid entirely by shares?—These gentlemen are paid entirely by shares; there are, of course, other salaried servants below them. A council is composed, in the interior, of the chief factors, the higher class, which meets every year. It has met at different places, but it meets generally at the Red River. The trade is directed, first of all, by the Board of Directors at home, but, like the East India Company, they have their council in the interior, which regulates the local concerns of the company. That council, which meets every year, takes into consideration the accounts of the preceding year, audits those accounts, sends orders home for the goods required for the ensuing year's trade, stations the various servants of the company at such posts as the council may think they are best qualified to occupy, and if vacancies occur in the service, recommends to the directors at home the fit persons then being in the service to succeed to those vacancies. So that, in fact, the whole affairs of the company, so far as the fur trade is concerned, are conducted by that council, subject to the control and superintendence of the Board of Directors at home.

5794. What is the number of the members of that council?—The council is not composed of all these gentlemen, because some of them live at distances which might prevent their coming within the course of the year to the council; but it consists of as many as can conveniently assemble, who act for the whole body.

5795. Does that council act by a majority, or are they merely a consulting council, the real authority resting in the Government?—I am happy to say that there has been such cordiality since the institution of this new Hudson's Bay Company, that there has been no instance of serious disagreement. Where there has been a difference of opinion, a representation has been made of that difference to the directors at home than of its having been made any subject of division in the council.

5796. Have the relations between the directors at home and the council been of an amicable description?—I have never heard of the least want of cordiality. Of course, as in other governments, there must have been occasional instances of difference of opinion.

5797. Are the Committee to understand that the system is this, that promotions, as vacancies occur out there, are made by the council, but that the first appointments of young men who enter the service are made by the directors at home?—All appointments are made by the Government at home; the council only recommend. I believe they generally recommend two or three names, and out of these the directors at home select one.

5798. Then the council do not fill up a vacancy, that appointment being confirmed as a matter of course?—No, they have no power, except with the consent and concurrence of the Board at home.

5799. What does the Board at home consist of?—The Board at home consists of a governor, a deputy governor, and seven directors chosen by the stockholders of the company.

5800. Is there a public meeting of stockholders once a year at which the directors are elected?—There is a public meeting once a year; there is an annual election of the governor and committee at home.

5801. What is the number of stockholders?—I will supply that information to the Committee.

5802. With regard to your trade, as to the expense, for instance, which is incurred in managing your trade, what has been the effect of the union in that respect?—The capital of this united company, I mean the stock of the com-

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pany, was agreed to be 400,000*l.* at the union; that has been increased by payments in money, or by profits carried to stock, to half a million, at which the company's stock now stands. Then I will tell you the profits of the company, that everybody may have all that we can tell them upon the subject. I have had an average taken for the last 17 years. The average profits for the last 17 years have been 65,573*l.* 2*s.* 7*d.*, of which 39,343*l.* 17*s.* 6*d.* has been appropriated to the profit of the company at home, and 26,229*l.* 5*s.* 1*d.* annually appropriated to the factors and traders in the interior. The general profits of the company, since the formation of the union, inclusive of this profit on the fur trade, have averaged about 12 per cent. upon their capital, and the share of profit given to the chief factors and traders have averaged 617*l.* 13*s.* 2*d.* to each chief factor, and 308*l.* 11*s.* 7*d.* to each chief trader.

5803. What has been the effect of this union upon the Indians within the territory?—The effect of the union (and I give myself great credit for it, as it is a creation of mine,) has been beneficial to every party interested. It has been beneficial to the Indians; quiet has been ~~universally maintained~~ throughout the country.

5804. Were the Indians engaged in those quarrels, which the rival companies carried on before?—The Indians were involved more than engaged in them. Rum was given by the various parties acting in competition to the Indians and half breeds; the whole country was demoralised; the Indian tribes were in conflict one against the other. In fact, whatever a particular trader carrying on his business at a particular post thought was likely to ruin his competitor, and to advance his own interest, was done without the least regard to morality or humanity.

5805. What has been the state of things in that respect since?—The state of the country since has been peace from one end of it to the other. As regards the Indians something has been done for the promotion of religion, morality, and education; not a great deal, but still as much as the means of the country would afford. Peace has been maintained in every part of the country. The Committee will see that one of the provisions of the Esceau, which I suggested to the Government, was that the company should be compelled to bring within their jurisdiction, so far as their means enabled them to do it, any person accused of any crime subjecting the person committing the same to capital punishment or transportation. I think one man was brought home; but one or two instances only have occurred, during the whole time, in which it has been necessary to recur to that provision in the Act of Parliament. We believe the Indian population rather to have augmented within the territory, as an exception to the rule which has existed throughout North America. Everybody has been satisfied and contented: the government of the country has been conducted with less trouble to this Government than that of any other colony under the Crown; and so far as I have ever heard from the different authorities who have had the colonial seals, no complaint made against the company to the Colonial Office that has been inquired into has not been explained to the satisfaction of the Government.

5806. Might not the necessary effect of the whole of the fur trade being in the hands of a single company, be to place the Indians entirely at the mercy of that company with regard to the price which is given to them for their furs?—Of course it must be so: it must either place them at the mercy of this company, or leave them at the mercy of whichever competitor for the trade shall give them most gin or rum, to set them at war one with the other.

5807. Do you believe that while competition took place, the use of spirits was constantly employed on both sides?—Constantly.

5808. Do you believe that to be inevitable?—So far inevitable that it would be impossible to prevent it; the Hudson's Bay Company have taken every possible precaution to prevent the introduction of spirits, but if an American comes across the border, if there is a question and contest about a trading post on the frontier, the universal article used to corrupt the Indians is spirits.

5809. Are you at all acquainted with the condition of the fur trade in the territory of the United States?—I believe it is comparatively extinct; there is a little fur trade upon the Missouri. It was a country formerly where beavers and otters, the animals living upon the fish of the rivers, were in great abundance; they are nearly destroyed; there are still animals that follow the herds of buffalo, wolves and animals of that kind; but I remember the time when half a million

a number of deer skins come from some of the now most civilised parts of Michigan to Montreal; that is put an end to almost entirely.

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5810. Has the supply of peltry at all fallen off, or has it augmented within the territories of the Hudson's Bay Company?—The supply of peltry, since the commencement of which I spoke to the Committee in 1803 and 1804, has diminished, I think, one-half, if not two-thirds.

5811. Do you mean within the territories of the Hudson's Bay Company?—No, within all the countries to the northward of Canada, including Canada itself. All the countries easily reached have been entirely destroyed. The valuable trade of the Hudson's Bay Company is in the remote districts, where, nobody having the power to interfere with them, they preserve the animals just as you do your deer and hares in this country. They encourage the Indians only to kill a certain number of animals when in good season for their use, and not to kill so many as to interfere with the breed; and that is now the most profitable part of the Hudson's Bay Company's trade. It comes from very remote parts.

5812. Do you mean that the decrease of the deer has been in quantity or in value?—In both.

5813. Do you think that under the present system which you are pursuing in the remote parts of your country, the fur-bearing animals are diminishing?—On the contrary, they are rather increasing.

5814. Does this system of strict preservation of the animals apply to the whole of your territory, or only to a portion of it?—It is impossible to apply it to the whole. Where there are various tribes of Indians, if you could induce one tribe of Indians to preserve the animals, another tribe would despise them. It is only where you have complete control over the Indians that you can do it.

5815. To which part of the territory does that preservation apply?—The very northern districts, where the Indians are not plain Indians, and do not rove.

5816. Where they are few, I suppose, in number?—There are a good number of those whom I speak of who do not rove; they have certain fixed habits, and hunting grounds, with which no others interfere.

5817. Which are the most valuable parts of British North America for the purposes of the fur trade?—I should think to the northward of 50°; very far north.

5818. Is it the western or eastern portion of the territory?—From Mackenzie's River the whole way across, taking the northern zone of the country.

5819. Do you know anything about the Russian fur trade?—That is upon the other side of the mountains; the Russians had much more considerable trade than they have now from Siberia. I am not sure in fact, that the Hudson's Bay Company do not take part of their territory and carry on their trade; we have certain rights of coast there. I forget exactly the terms of the treaties with the Russians upon that subject, but they are easily referred to.

5820. As to what do you attribute the great decrease of the fur trade in the southern portion of the Hudson's Bay territory?—It is the great competition which took place before the union of the companies, and there must always be competition from the American trader. The Indians in the north country, where there is great facility of travelling, go from one to the other with the produce of their winter's hunt; they go to the American posts or come to the Hudson's Bay Company's posts as they can get the best price for their furs. I do not believe that any part of the fur trade carried on by the company in their southern posts, in the immediate vicinity of the American frontier, is in the least profitable; on the contrary, I believe that they lose money by it.

5821. Has the progress of settlement and civilisation affected the fur trade?—Yes; I am afraid that the progress of settlement and civilisation has been very slow. I do not believe that it has increased for many years.

5822. The Hudson's Bay Company are incorporated under a charter. I believe?—They are incorporated under a charter.

5823. What rights do you conceive that charter to give them?—I conceive that charter to give the rights expressed in it; some of them may be doubtful. I ought to be able to express a liberally fair opinion upon this subject, since I have taken the opinion of every lawyer against the company when I was opposed to them, and for the company since I have been connected with them. We have the opinions of Lord Mansfield, Sir Dudley Ryder, Sir Richard Lloyd, Lord Erskine, Goss, Romilly, Cruise, Bell, Sturges, Holroyd:



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Holroyd; and the law officers have been consulted upon every occasion by the Colonial Office when this question has come under discussion, and I think the universal opinion, without an exception of these eminent lawyers is, that the proprietary rights of the company cannot be disputed. Some of these opinions maintain the right of the Crown, at the time of the charter, to give an exclusive right to trade, founded upon the famous decision of "*The East India Company v. Sands*," by Lord Jeffery. Other lawyers are doubtful upon the point; but it is scarcely necessary to inquire whether the Crown had the power or not, since, if the Crown had the power, it has not given the company any means of enforcing its rights; we cannot proceed to seize or confiscate; at least I should think a lawyer would be in some difficulty before he should advise the Company to take that course: therefore I hold that to be an extremely doubtful question. But none of these eminent lawyers, and no lawyer whose opinion I have ever heard quoted, either for or against the company, or taken either for or against them, have expressed the least doubt as to the proprietary rights granted under the charter.

5824. By "proprietary rights," you mean the right of possessing the soil as distinguished from the exclusive right of trade:—I mean the same rights which were granted to other proprietors; Honourable Members are aware that this is the last proprietary government in existence. There were, I forget how many, proprietary governments in America, Massachusetts, Pennsylvania, and various others; but this is the only case remaining of a proprietary right which has not been, somehow or other, either purchased or amalgamated with the general rights of some one of the colonies in America.

5825. Do you conceive the rights of self-government to have been given by the charter?—Certainly; and the country has been governed, so far as the Hudson's Bay Company's territories are concerned, under those rights; there has never been any other authority for the government of the country or for the administration of justice; it being always understood that the Crown took the power, if it should see right, in the Act enabling it to grant the licence, to constitute an independent magisterial power, which it has never exercised.

5826. I believe the company are bound by the licence, in a penalty, to send certain prisoners and certain causes to the courts of Upper Canada: to what portion of the country does that obligation apply?—That obligation applies only to the territories beyond the Hudson's Bay Company.

5827. Not to the chartered territories?—Not to the chartered territories. But if any demand had been made at any time that the Company should send prisoners for trial so far as our power enabled us to do it, we have always thought that they must be sent to be tried in England.

5828. Do you believe that practically there is protection to life and property within this vast district of country, so far as the nature of things admits of it?—I am entirely of that opinion, since no complaint has been made. If you are to look to the nice rules which we think essential in the courts of justice in England, it is very difficult to satisfy gentlemen that there is any administration of justice, when it must be necessarily of so rude a description as that exercised under the powers of the Hudson's Bay Company; but in all these societies wherever they have existed (and I have known a great many of them), I believe that the administration of government and of justice has been conducted in such a manner as to satisfy the inhabitants generally, and to satisfy the Government at home also, that no act of gross injustice or exceptional mal-administration has taken place. You have as good an administration of justice and government as under the circumstances you can obtain.

5829. Are you careful in the selection of the young men whom you send out there?—I took great care in former times to send out the best men we could find, principally from the north of Scotland, sons of country gentlemen, clergymen, and of farmers, who had been educated in the schools and colleges of Scotland: they went out first as apprentices, then were made clerks, and then became gradually advanced to the higher positions in the service; some of these men have lived to become great benefactors to the country. You have heard of the donations of Mr. Leith and Mr. Black, two gentlemen whom my father sent from Aberdeen. Governor Simpson has taken very great interest in the matter for many years, but I think that lately it has been too much the habit to endeavour to supply the places of men who have retired by persons connected with the country, some of the half-breeds; and I doubt very much when

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we look to the future security of the country, whether that will be found to be good policy.

5830. Are the appointments made by individual directors?—No, four or five gentlemen sit round a table, and I believe if anybody recommends a competent young man, there is never any division of opinion as to appointing him to that office. My son recommended a boy, the son of our forester in Scotland, brought up at our own school, where he turned out a quick, clever boy; that boy had never seen a town, nor known anything of the vice and habits of towns; he has gone out as an apprentice, and will rise, if his merits justify the council in promoting him, to be one of our chief men.

5831. Is the conduct of these young men closely watched when they are out there?—It comes perpetually under the view first of the council and the Governor, and then under the view of the Government at home; and it is so much for the interest of all parties to have good, zealous, active men, in the management of affairs at such a distance from all human society, that that is the best security for good selections.

5832. From the nature of your trade, I suppose the moral conduct and good sense of your agents are quite indispensable?—Quite indispensable, and moreover, it is very essential to have men who can obtain influence over the Indians; if it is found that any man at a particular post gets indolent, inattentive, or has too intimate relations with particular Indians, or if his habits are supposed in any other way to interfere with his good administration of the post, he is instantly changed.

5833. Have you ever considered the question of a boundary between your territory and Canada?—Yes, I have considered it very much. Until you have some decision of a court of law against it, you must take the words of the charter. At that time the Crown had undoubted right to grant what it could grant in point of land. Taking the grant in connexion with the various occasions on which the Legislature and the Government of this country have been cautious to preserve, and to save the rights of the Hudson's Bay Company, I do not think there can be any doubt as to the boundaries of the Hudson's Bay Company. I have read a paper which Mr. Draper delivered to this Committee upon the subject. The only difference which I should have with Mr. Draper is with regard to the line which he would suggest as the boundary between the Hudson's Bay territories and some unknown territory (because it cannot belong to Canada) bounded by the line of 49°. Mr. Draper founds his inferences as to the southern boundary of the Hudson's Bay territories on some discussions which took place at an early period between the French and English Governments relative to the eastern boundaries on the Labrador coast. At that time I do not believe that either Government knew anything of the country to the westward of Lake Superior. Then if you come down to the Act of Parliament constituting the boundaries of Canada, which I hold, after all, to be the great authority upon which we must proceed, the Act of Parliament defines the limits of Canada to be bounded westward by the Mississippi, and thence to where the line touches the lands granted to the Hudson's Bay Company.

5834. Mr. Roebuck.] What Act of Parliament is that?—It was in 1774, an Act of Parliament of 14 Geo. 3, c. 83. In 1794 the treaty of peace and commerce and navigation was concluded between Great Britain and the United States. In some of the treaties or Acts of Parliament, the western boundary of Canada is described. The boundaries of the province of Quebec, as described by 14 Geo. 3, c. 83, are described on the west and north, "along the bank of the said river," which is the Ohio; "westward to the banks of the Mississippi, and northward to the southern boundary of the territory granted to the merchants adventurers of England trading to Hudson's Bay." But I take this question of boundary to be a question of no importance at all. If the Province of Canada requires any part of this territory, or the whole of it, for purposes of settlement, it ought not to be permitted for one moment to remain in the hands of the Hudson's Bay Company; and, at the same time, less money than would be spent in a litigation upon the subject would be sufficient to indemnify the Hudson's Bay Company for any claim which they could have in giving up any disputed part of their territory. We attach very much importance to these questions, which are in fact of no importance in themselves. It would be much more, for instance, for the interest of the Hudson's Bay Company to be upon a cordial and good understanding with the

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Government of Canada than to have any disputed question of right with respect to a certain quantity of land, which can be of no use to the Hudson's Bay Company, and which may be of use to the people of Canada.

5835. *Chairman.*] You are of opinion that it would not be difficult to come to an arrangement by which the extension of Canada, by way of settlement, might be provided for, over any portion of the territory of the Hudson's Bay Company, which is adjacent to Canada, and adapted for such settlement?—Not only would there be no difficulty in it, but the Hudson's Bay Company would be too glad to make a cession of any part of that territory for the purposes of settlement, upon the one condition that Canada shall be at the expense of governing it and maintaining a good police, and preventing the introduction, so far as they can, of competition with the fur trade.

5836. Do you mean by that that you think that it would be advantageous for the company to withdraw as it were to the more northern part of their territory, and to leave for gradual settlement the southern portion of their country?—I am of opinion that the existence and maintenance of the Hudson's Bay Company, for the purpose of temporarily governing this country, until you can form settlements in it, is much more essential to Canada and to England than it is to the company of adventurers trading to Hudson's Bay.

5837. You are well acquainted with Canada, I believe?—Very well.

5838. What power do you conceive that Canada would have at present of governing, say the Red River and the country beyond the Red River?—I should say that it would be extremely difficult, and that Canada, upon a full consideration of the circumstances, and after a short experience, would entreat the Hudson's Bay Company to resume their government after they had made the experiment. There are a great number of circumstances connected with that country which do not at first strike ordinary observers. First of all, there is the immediate vicinity of our neighbours, the Americans. A good deal of evidence has been given to this Committee with respect to the facility of establishing communications between Canada and the Red River. Nobody is aware of the difficulties of such communications; the money it would cost to make practicable roads, to establish and maintain posts in an unsettled country during winter, cannot be calculated. The natural communication with the Red River, and all the prairie countries, is through America; and however you may desire to establish political boundaries and communications at present, no gentleman upon this Committee is aware how soon events and incidents may throw the traffic into the channel intended for it by nature. For instance, I have here a map of Minnesota, in which the most northerly post occupied by American troops is placed within 330 miles of our boundary, and there is no kind of obstacle, either of river or of lake, or of a ridge of mountains, to obstruct the facility of communication between Minnesota and the Red River; it must be the natural way through which that country will be civilised and settled, if it is ever civilised and settled.

5839. Would the maintenance of the frontier be as easily kept up by Canada as by the company, in your opinion?—That is a question of expense. I have not the least doubt, although I have no authority to make statements upon this subject, that the Hudson's Bay Company would come to very easy terms to transfer the Red River Settlement to Canada, if Canada would only protect them and govern the country; at the same time the Hudson's Bay Company have a large mass of property there which they re-purchased from Lord Selkirk in 1836, for a considerable sum of money. They thought it better to extinguish Lord Selkirk's right, and not to have separate interests in the country. They have laid out a good deal of money in making the present establishments. I do not think that they are profitable to them in any way. There can be no doubt about the Red River Settlement being within their territory, unless you can suppose that this geographical line which was to run from Labrador, cut off a part of the territory.

5840. I suppose the Hudson's Bay Company discourage having any settlement, as far as they can, within their territory?—The Hudson's Bay Company, like all other people, would like very much to have any settlement that was profitable. This settlement was made by Lord Selkirk; it was an unwise speculation, settling people in a country where they could send no produce to market, where they could be in communication with no neighbouring settlement, and accordingly it has failed.

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5841. Taking all the circumstances into consideration, how do you think it would be desirable to deal with that question of the Red River Settlement?—I think it would be very much the best thing for this country and for Canada, to leave it as it is; but I should be very much disposed to consult the Government of Canada upon the subject, and to put Canada in communication with the Hudson's Bay Company; if Canada desired any alteration in the government.

5842. Supposing it is left as it is, do you think there is no danger of the Americans finding their way across the frontier, and that some day we shall find ourselves with a large American settlement within our own territory, which may give rise to very great embarrassment?—But how would Canada protect you from that? The danger exists and must exist. You cannot guard against it. It being a prairie country, and there being no obstacle to prevent the Americans roaming over it, how would Canada be able to prevent it?

5843. I believe it is the case that Americans emigrate very much into Upper Canada, but that has not prevented Upper Canada from becoming a good, loyal, English colony?—The Hudson's Bay Company would have no objection to receive as many American settlers as should come to the Red River and choose to settle themselves there, and to buy and cultivate land; all they desire is, that they should not interfere with the fur trade.

5844. Do not you think it is desirable that, by some mode or other, there should be a British colony established in the Red River and the adjacent country, which might be civilised and cultivated?—It is very easy to talk of its being desirable to have an English colony, but how are you to establish it? If this country will pay the expense of establishing it, or if Canada will pay the expense of establishing it, I can understand your establishing an English colony; but I know no circumstances at present connected with Red River which would give me the least idea that a prosperous colony could exist there without great assistance.

5845. Why do you think that it would be so very expensive?—In the first place, you must get people to establish themselves on the land; there are very few people there. It is a great mistake to suppose that that is a very inviting part of the country. I have more experience than most people of the mode of settlement in America. I have never known a settlement succeed which did not succeed in continuation of some settlement which almost reached it. I have known very adventurous Americans, whom we call squatters, the pioneers of civilisation, establish themselves in advance of settlement, in hopes of its overtaking them; but that forms no settlement to pay a government; it must be followed by a certain establishment of people, society sufficient to provide for its own wants, and to provide the means of taxation to carry on a government.

5846. The way in which the Americans govern a territory is very simple and inexpensive, is it not, before it becomes a State?—Yes; but their territories are in very different latitudes to this.

5847. Is the climate so very different between the Minnesota territory and that of the Red River, and the neighbouring country?—It is only different, inasmuch as the Red River is further north; but even the Minnesota territory is not a very hospitable country; and the most northern settlement in Minnesota nearest to the Red River Settlement, is five degrees to the south of it. You will recollect that a great part of this territory of the Red River is very barren, very marshy. Along the banks of the river, there is a quantity of good soil, which is to a certain extent productive. Then it is 1,000 feet above the level of the sea; it is in the latitude of 50 degrees; Quebec is in 46° 50'. It is three or four degrees further north than Quebec. The settlement of the Red River is 60 miles north of the line; it is in about 50 degrees; the line is 49 degrees by the Lake of the Woods. When you come to a latitude of 50 degrees and 1,000 feet above the level of the sea, the climate is not very favourable; so it has been found by the settlers at the Red River. Some gentlemen go there in the middle of the summer, and find a little land cultivated in two or three patches upon the banks of the river, where there is alluvial soil producing good crops; and they think that that is a state of things which may be calculated upon through the year; two or three times this colony has been very nearly starving. I am satisfied of this, which I repeat again, that if the place is fit for settlement, and you can obtain the means of settling it, it ought to be settled, and it ought not

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to be occupied by a set of fur-hunters ; but I do not see what settlement, either from Canada or from the United States (it is more likely from the United States), is likely to approach that settlement and to increase its numbers for years to come ; then I must also state, that there is a still greater deficiency there than is found in those prairie countries in America, and that is becoming a very serious difficulty with them, namely, the deficiency of wood, both for fuel and for building, I believe that Minnesota will get a good deal of wood from the country to the southward of Lake Superior ; the mining districts ; but that is a difficulty which is becoming immense ; the wood is diminishing, and coal is not found where people cannot exist in that hard climate without abundant fuel ; at the Red River there is scarcely any ; the same I may say about the Saskatchewan. I have heard that evidence has been given to this Committee that the Saskatchewan is a country capable of settlement ; that may be when a second generation from this are in their graves, but it will only be because the population of America becomes so dense that they are forced into situations less fit for settlement than those which they occupy now. The Saskatchewan is higher up again ; it is up at 53 degrees ; the Athabasca Lake is in 60 degrees. I have no doubt that gentlemen who go out in the summer and look at the border of these rivers, and see the fine pastures which they find for the buffalo, say, " These will make admirable farms," but they have not been there during the winter, and they have not considered the circumstances of the country with respect to fuel.

5848. Do you consider that the country which the company hold under licence is very valuable as a fur-trading country ?—Some part of it on the other side of the Rocky Mountains, especially on the rivers which flow up to these mountains, I believe to be very productive of good furs. I do not think that it is the most profitable part of their trade ; the most profitable part of the trade is their old territory, and the licensed territory to the east of the Rocky Mountains.

5849. You have no personal acquaintance with that part of America, I believe ?—I have no acquaintance with it. The Hudson's Bay Company, before the treaty of 1846, supposing the Columbia River to be the boundary, at that time occupied the whole country, and with some better prospect than either upon the Red River or upon the Saskatchewan, formed considerable farming establishments. The grain which they produced, and the timber which they felled, they found a good market for in the South Sea Islands. It is objected to the Hudson's Bay Company that they are so slothful, and that they do not apply their capital to useful purposes. They made large establishments, they had immense herds of cattle, they produced a great deal of corn of all descriptions, samples of which I have seen, and there could not be better corn ; and at last the undertaking exceeding their own means, they made an offset from the Hudson's Bay Company, called the Puget Sound Company. The Puget Sound Company is not the Hudson's Bay Company. I am a stockholder in the Hudson's Bay Company, and I have nothing to do with the Puget Sound Company, and did not like to have anything to do with it, thinking the speculation not a very promising one. However, a good number of the gentlemen connected with the Hudson's Bay Company, in association with others who are not connected with the Hudson's Bay Company, formed the Puget Sound Company, who made very considerable agricultural establishments in that country. Since 1846, when the boundaries were settled, it was found that the establishments within this country were ceded to the United States ; and the Hudson's Bay Company and the Puget Sound Company have now a great claim in discussion before the Congress for indemnity for the surrender of their possessory rights. These possessory rights were reserved by the treaty to the Hudson's Bay Company, as well as the navigation of the Columbia. The Americans have been very anxious to acquire these possessory rights. And that the Committee may understand the nature of these rights, I have a printed copy of some opinions taken by the American Government from lawyers of the greatest eminence in the United States, as to what are these possessory rights, looking to the negotiation now going on between the parties. The Hudson's Bay Company applied to the Foreign Office to know whether there was any reason why they should not dispose of these possessory rights ; and the Foreign Office, very probably thinking that that kind of mixed interest might lead to some difficulty between the

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the two Governments, rather encouraged them to go on with the negotiation than to retain the rights. This is the legal opinion of Mr. R. S. Coxe, and it states; "Mr. Greenough says, 'the Hudson's Bay Company's establishments in Oregon have been, until recently, devoted entirely to the collection of furs; but within a few years many farms have been laid out and worked, and large quantities of timber have been cut and sawed, and exported to the Sandwich Islands and Mexico, for the benefit of the company.'" This is the American account. It shows, at all events, that the company have not been idle. Then it goes on to state the possessory rights as this lawyer understands them. "It cannot, in my judgment, and from the evidence accessible to me, be contended with any shadow of reason that actual surveys, lines of exact demarcation, enclosures, or anything else, defining and circumscribing the extent of ground thus appropriated or reserved, such as might be necessary in the case of a private individual asserting an adverse possessory right against a paramount legal title, can under any circumstances be required as an essential foundation or support of the title of the company. The felling of timber *sparsim* throughout a tract of forest land, the pasturing of cattle over plains and hills, are all legal acts of ownership, and under circumstances would constitute the most conclusive evidence of such possessory rights as are recognised and protected in the treaty of June 1846. In regard to the Puget Sound Agricultural Company the information which I possess is even less distinct and authentic." Then if you wish to know who Mr. Coxe is, here is the opinion of Daniel Webster, whom we all know. He says, "I have received your letter requesting my opinion upon the extent and nature of the possessory rights of the Hudson's Bay and Puget Sound Companies by the treaty of July 1846. In reply I would say that I entertain no doubt that these companies have a vested proprietary interest in these lands. Their title to its full extent is protected by the treaty, and though it is called a possessory title, it has been regarded as being, if not an absolute fee in the land, yet a fixed right of possession, use, and occupation as to prevent the soil from being alienated to others." This is another opinion of Mr. Edwin M. Stanton. He says, "Their possessory right is not to be estimated by mere *possessio pedis*. The term of the treaty, 'possessory right,' being a relative term, is to be interpreted according to the subject matter, the nature and purpose of possession. Even in case of intruders without colour of title holding against the rightful owner, settlers' possessions have been defined in the State of Pennsylvania, where such claims have been much discussed, as embracing the whole of an unseated tract, where the settler has entered claiming and exercising ownership, putting up buildings, clearing and fencing more or less, using it according to the custom of the country; the clear land, either as arable, meadow, or pasture, and the woodland for obtaining timber, as often as the settler shall have occasion for it to answer his purpose." Then he says, "Now the territory, north of the Columbia, is adapted chiefly for the fur trade; possession would therefore be manifested 'according to the custom of the country,' by hunting and trapping. A hunting or a fur-trading country must either be incapable of legal possession, or its possession must be manifest by some other means than habitation, fence, and inclosure." I need not go through this, but these are the opinions of the American lawyers taken by the American Government, during the time of this negotiation between the Hudson's Bay Company and the American Government, for the sale and transfer of the possessory rights possessed by the Hudson's Bay Company and the Puget Land Company in the district of Oregon. These are the United States' opinions upon a reference by the United States Government to these lawyers.

5850. Vancouver's Island is at present under the management of the Hudson's Bay Company?—Vancouver's Island is under the management of the Hudson's Bay Company, and with respect to it, as with respect to many other things connected with the Hudson's Bay Company, very much misrepresentation has prevailed; of course I cannot say that it is advisable to maintain a monopoly where you can do without it, and if the monopoly of the Hudson's Bay Company is not a necessity, then I have little to say in its favour. The Hudson's Bay Company being in possession of the trade of the adjacent country under the licence, and Lord Grey finding great difficulty with respect to Vancouver's Island, applied to the Hudson's Bay Company, or rather I believe the Hudson's Bay Company in the first instance applied to Lord Grey, for protection in

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Vancouver's Island for fear of American marauders disturbing their possessions there. From these communications arose a negotiation under which Lord Grey very wisely, as far as this country was concerned, and as far as the saving of expense was concerned, granted the island to the Hudson's Bay Company.

5851. In what year was that?—In 1849. The conditions of that grant are before Parliament; it was very much discussed in Parliament. When the transaction was entered into, I believe the only person who spoke to me on the subject was Lord Grey himself; the Hudson's Bay Company did not consult me, and I thought Lord Grey quite right in throwing the expense of the possession of the island on the Hudson's Bay Company, and the Hudson's Bay Company quite wrong in accepting the grant. At the time when the monopoly of the land was granted to the Hudson's Bay Company, in the terms of the grant, certain restrictions were imposed with respect to the price of the land, and certain other conditions with respect to the future government of the country, which ensured from the beginning an absolute failure of the whole scheme. Lord Grey insisted that the Company should not sell land under a pound an acre. I believe that if one could recount to this Committee all the misery and mischief which has been done to our colonies by jealous and capricious restrictions imposed by the Colonial Office upon the dealings in land in our colonies, they would be astonished. These restrictions were idle. Any person accustomed to the settlement of land must know that if you take a pound from a man who comes to settle in a wild country, you take from him all the little capital which he wants, to establish himself on the land. The land is of no value to anybody until it is cultivated. We have gone on with these restrictions in spite of the experience and protest of all men acquainted with the colonies. That was the first and an insuperable difficulty the Company had to contend with. The second difficulty was the anomalous institutions of monopoly on the one hand, and ultimately a free legislation on the other, antagonistic powers which never could agree. Of course the necessary consequence would be, that the free legislature would quarrel with the monopoly the day a really free legislature assembled.

5852. So far as the failure of the colony there is connected with the establishment of a free legislature, are you acquainted with the circumstances of what actually took place?—Perfectly.

5853. Did this free legislature come into action?—Directions have been sent to assemble a legislature. If you are content with a sham in the beginning, which for the moment may work your temporary purpose, with the perfect knowledge that at no distant time it must subvert your whole arrangements, then I say nothing against your free legislature as at present constituted.

5854. Was there a legislature even nominally free for some time?—No; the fact is you never took sufficient power by Act of Parliament to constitute a legislature. Whatever has been done, has been done by the power of the Crown; you governed the colony first by a Governor in Council; they came to a stand-still very soon, because they proposed to levy duties upon spirits, or to issue licences, I forget which, to regulate the sale and prevent the abuse of spirits. It was found upon reference to these acts, imposing duties, that they had no power to impose them; then the matter was referred home, and application was made to the Colonial Office. The Colonial Office said, "You must call a free legislature, and give to every man who has 20 acres of land a vote for the representation in that legislature." The Hudson's Bay Company answered very properly; "We can call a legislature of our own dependents; there are no people not under our immediate influence, and if we call what you denominate a free legislature, there will be an immediate complaint in England that under the pretence of free institutions, we have set up an arbitrary government." My advice to them was, to make a representation (I believe the Right honourable Chairman was Secretary of State at the time), that if such a legislature was to be set up, it should not be set up by the Hudson's Bay Company on their responsibility, but that it should be set up on the responsibility of the Secretary of State, the Secretary of State being warned by the Hudson's Bay Company, that such a legislature never could be a free legislature, in the sense in which a free legislature can be understood.

5855. Was it not established because it was considered that any other mode of proceeding would be absolutely illegal?—It was established, because you did not



not choose to go to Parliament, in the best way you could; but that is not a way which can succeed in the end.

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5856. When does the arrangement expire by which the Hudson's Bay Company hold Vancouver's Island?—I do not know when it expires; but the sooner some determination is taken with respect to Vancouver's Island the better; it is a most interesting position and possession; it can do no good under the hands of the Hudson's Bay Company; they have no means to apply to it; they would sink their whole capital if they were to do more than they have done; they have already expended some 80,000*l.* of capital in sending persons as settlers, and miners to work the coal-mines, and in doing other things which they were urged to do by the Government and the public in consequence of their having accepted a grant of the island; everything hitherto has been outlay; there has been no return; that will not go on; they must stop, and therefore the sooner the public reconsider the whole question of Vancouver's Island the better. I beg the pardon of the Committee for offering an opinion upon that point.

5857. We are glad to hear your opinion?—The sooner the public re-enter into possession, and the sooner they form establishments worthy of the island, and worthy of this country, the better. From all the accounts which we hear of it, it is a kind of England attached to the continent of America.

5858. Do you mean to express the opinion that, with regard to Vancouver's Island, you think it should be established as an English colony, and governed upon the ordinary system of English colonies?—I think that it should not only be on the ordinary system of English colonies, but that it should be the principal station of your naval force in the Pacific. It is an island in which there is every kind of timber fit for naval purposes. It is the only good harbour (and it is an excellent harbour) to the northward of San Francisco, as far north as Sitka, the Russian settlement. You have in Vancouver's Island the best harbour, fine timber in every situation, and coal enough for your whole navy; the climate is wholesome, very like that of England; the coasts abound with fish of every description; in short, there is every advantage in the island of Vancouver to make it one of the first colonies and best settlements of England. Political questions are connected with making a settlement in that quarter, which I will not enter into.

5859. Do you think that it would be desirable, in the event of Vancouver's Island being made a colony, to connect with it a portion of land upon the adjacent coast?—No, I think you would have quite abundant work in Vancouver's Island; the Indians are rather difficult of management upon the adjacent coast. Wherever Indians live in great abundance, they are not very easily dealt with. They live in very great abundance from the quantity of fish which the country produces, and they have been very troublesome both to the American navigators and to our navigators, and I think it would be very advisable to keep the whole Indian country under the management of the Hudson's Bay Company until you wanted to settle it. When you want to settle it, then of course it should be taken from the Hudson's Bay Company.

5860. If there is land, as has been represented to this Committee, on the adjacent coast as good as that in Vancouver's Island, which might be attractive to settlers, would it not be expedient, in your opinion, to provide for the regular government of that country at the same time that you did so for that of Vancouver's Island?—If this country would really undertake it, I think probably at first it would be advisable to confine your operations to Vancouver's Island, because you would find that quite as much as you could manage; but I am quite sure that the moment you could extend the settlement to the adjacent shore you ought to do it; my doctrine is, that there is not an acre of land fit for settlement which should be kept under any other dominion than that of the actual settlers, wherever it may be situated.

5861. You do not think that it would be wise to connect the country to the north or the westward of the Rocky Mountains with Vancouver's Island?—In legislating (for you must legislate; you cannot go on with your present constitution for Vancouver's Island), I should think that it would be quite right that the Government should assume entire control of the whole country; that the Legislature at Vancouver's Island, or the Government at Fort Vancouver, should govern the whole country, even if the licence was left with the Hudson's Bay Company.



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5862. You mean, the whole country up to the Rocky Mountains?—The whole adjacent country to the Rocky Mountains. The Hudson's Bay Company carry on a considerable trade now from Vancouver's Island and the adjacent coast; more in fish, timber, and provisions with the South Sea Islands, than any great quantity of furs that they collect there. I heard a geologist examined here with respect to a most speculative subject, viz., of what practical value these minerals may be throughout this country; for instance, copper upon the Copper Mine River, which never can be brought to market; still we have had gold from Vancouver's Island; the Hudson's Bay Company have brought gold home, and we have reason to believe that gold may be found in a great part of that country; nobody has ever been there except the Indians.

5863. Would you draw any limit between the land given to the colony and the land simply reserved for fur-trading purposes?—No limit. I would put the whole under one government if you are to have a government there. The only reason why I think that you should maintain the Hudson's Bay Company, wherever you maintain them, is where you can find no better instrument for your purpose; if you are to have a good colonial government in Vancouver's Island, I should include in it the whole of those territories, even if I gave the licence to trade to the Hudson's Bay Company.

5864. Do you think that the right of exclusive trade by the Hudson's Bay Company could be rendered compatible with the territory being given to a colony?—Why should not it be so? It is compatible with the government of this country, and it would be compatible with the government of a colony. I do not think it should exist one hour longer than the colony, or the Legislature or Government of that country thought it for their good. The Hudson's Bay Company have no claim to it; it is not like the Hudson's Bay territory. I may add, that beyond the Hudson's Bay Company being paid for their outlay, which payment they are entitled to under the agreement with the Crown, I do not think they have any claim upon the public on the west side of the Rocky Mountains, otherwise than as you may think it for your interest to employ them.

5865. When you speak of a Government being given to Vancouver's Island, in the event of its being made a British colony, I suppose you mean those popular institutions which the colonies have given to them?—Certainly; but then you should put an end to the monopoly of the land, and let the institutions deal with the land of the country according to their discretion.

5866. Is there anything which you wish to add to what you have stated?—I think there is one important consideration connected with the licence. I did not suggest the Act of Parliament to enable the Crown to grant this licence merely to prevent competition from Canada with the Hudson's Bay Company; I thought it advisable that, at all events till some better arrangement could be made, the country should be kept perfectly at peace; and but for the monopoly granted to a particular class of our subjects, the American citizens have as good a right to trade with the Indians within our territory as the English subjects have. It is not only the Canadians who would come in competition with the Hudson's Bay Company, but every American citizen would have as good a right to trade with our Indians as he has with our civilised people at Toronto and Montreal, and you could not exclude him; if you put an end to the monopoly, you must be open to competition with every American citizen. That was one of my objects in recommending the licence.

5867. If you think the exclusive licence to trade advisable for some time in these remote districts, do not you think that if you gave a large tract of that country as a colony in the vicinity of Vancouver's Island, the inevitable result would be, that it would be thrown open to competition?—On the western side of the Rocky Mountains you must deal with it as the general interests of the country require. The interests of the Hudson's Bay Company must not be considered in comparison with the general interests of the country. I am not here to plead that you should continue the licence to the Hudson's Bay Company one hour longer than it is for the public interest that you should continue it.

5868. Mr. Roebuck.] Then you draw a distinction between the western and the eastern sides of the Rocky Mountains?—I draw a great distinction, inasmuch as the Hudson's Bay Company have no exclusive rights whatever to the westward of the Rocky Mountains.

5869. If it should turn out that the charter is an illegal charter, then the condition

condition of the Hudson's Bay Company on the eastern side is the same as it is on the western side?—To be sure. That opinion must be qualified. A company which has been in possession for 200 years of the whole of that country, and which has done its duty to the public, would have some claim upon the consideration of the public even if its charter was declared illegal.

5870. That is to say, that wrongful possession for 200 years ought to be paid for?—When you talk of a “wrongful possession,” the word “wrongful” would be used against the opinion of every lawyer of eminence ever consulted upon the subject.

5871. I started with the supposition that the charter was proved to be illegal?—Yes.

5872. I want to know your opinion, supposing it to be illegal, what would be the condition of the Hudson's Bay Company on the eastern side of the Rocky Mountains, as compared with the western side?—The same absolutely, with the qualification which I have stated, of the consideration which the Hudson's Bay Company ought to have for their long possession of that country upon equitable grounds.

5873. You dropped a phrase which rather startled my ear, about Vancouver's Island; you talked about compensation?—Yes.

5874. Compensation for what?—It is no compensation; the Hudson's Bay Company accepted the grant of Vancouver's Island upon the condition that if they were required to surrender it again, the money which they laid out *bona fide* should be repaid to them by the public; there is no other compensation.

5875. I suppose that that was to be money laid out beneficially, not merely money spent?—Laid out to promote the colonisation and improvement of the island.

5876. And if it should be proved, that so far from promoting the colonisation of the island, they have thrown every obstacle in the way of colonisation, then they ought not to have any compensation?—I do not say that. This is proceeding upon an hypothesis. As far as my information goes, they have done everything which they ought to do.

5877. The hypothesis may be erroneous, but I want to know what the conclusion is?—I can give no opinion upon an hypothesis which I believe to be erroneous in every one of its details.

5878. Is that the rule which you invariably pursue?—It is the rule which I adopt generally.

5879. Do you not take an hypothesis and argue upon it?—If it is a reasonable hypothesis, in my opinion, certainly.

5880. In your opinion, then, it is not reasonable to suppose that there has been any difficulty thrown in the way of colonisation by the Hudson's Bay Company with regard to Vancouver's Island?—I know of no difficulties that ever have been thrown in the way, and I think I know as much of the question as most people can. I speak with impartiality, because I think that the Hudson's Bay Company ought not to have accepted the grant.

5881. I think you stated that the Hudson's Bay Company was more a Canadian than an English Company?—Yes.

5882. What did you mean exactly by that?—I meant that, upon the union of the companies, the whole of the Canadian interest had been transferred to and incorporated with the Hudson's Bay Company; that so far, it was the Canadian trade, in fact, which was incorporated with that of the Hudson's Bay Company.

5883. I think you also stated that, at the time at which you went to Canada, all the leading people of Canada were engaged in the fur trade?—Yes; I will tell you their names; they are of great eminence.

5884. They did not include any of the seigneurs of the country?—I beg your pardon; Mr. Monteur, a seigneur of the country, was one of the partners of the North-West Company.

5885. The great body of the seigneurs had nothing to do with that trade?—The great body of the seigneurs in Canada never had anything to do with trade at all.

5886. Then you meant merely the trading community?—I meant all the English and Scotch people who established themselves in Canada, and established trade there (for there was no trade before), after the treaty of 1783; it has remained in their hands ever since.

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5887. You referred to the Act passed in 1821: do you know that by the fifth section of the Act, the powers of the Canadian judiciaries were extended over the Hudson's Bay Company's territories?—They were not extended over the Hudson's Bay Company's territories at all; you will find that they are excepted.

5888. Then if I read from this book the following words, this book is erroneous: "And be it declared and enacted that the said Act passed in the 43d year of the reign of his late Majesty, intituled, An Act for extending the jurisdiction of the courts of justice in the provinces of Lower and Upper Canada to the trial and punishment of persons guilty of crimes and offences within certain parts of North America adjoining to the said provinces, and all the clauses and provisoes therein contained, shall be deemed and construed, and it is and they are hereby respectively declared to extend to and over and to be in full force in and through all the territories heretofore granted to the Company of Adventurers of England trading to Hudson's Bay, anything in any Act or Acts of Parliament, or this Act, or in any grant or charter to the contrary notwithstanding"?—That provided, that if the Government of Canada themselves appointed magistrates they might exercise that jurisdiction; and it was purposely inserted in the Act that if a complaint should be made to the government, either of England or of Canada, which they thought sufficiently grounded, that the Hudson's Bay Company neglected in any way to administer justice, the Crown should have the power of appointing justices under that clause, and the Crown has never yet appointed a justice. I beg pardon; in order that I may be perfectly correct, I wish to state that the Crown has appointed justices, at the recommendation of the Hudson's Bay Company, in the parts of the country under the licence which are without the territories of the Hudson's Bay Company, but it never has granted a commission within the territories of the Hudson's Bay Company.

5889. Is that the gloss which you put upon these words, "An Act for extending the jurisdiction of the courts of justice in the provinces of Lower and Upper Canada to the trial and punishment of persons guilty of crimes and offences within certain parts of North America adjoining to the said provinces; and all the clauses and provisoes therein contained shall be deemed and construed, and it is and they are hereby respectively declared to extend to and over, and to be in full force in and through all the territories heretofore granted to the Company of Adventurers of England trading to Hudson's Bay"?—I put no gloss upon it at all. I admit the clause to mean literally what it expresses. But that only gave to the Crown and the Canadian authorities power to appoint justices to bring parties within the jurisdiction of the courts in England or Canada, which power they never have exercised by the appointment of any justice. I put in those clauses myself, in order that the Crown or Canada might have the power of appointing justices under it; but it has never appointed any, therefore the clause is inoperative.

5890. Therefore your interpretation of the Act is, that the powers of the judicature of Canada are not extended over those territories, because the Crown has not appointed special justices for those territories?—It has taken no means of exercising the powers of judicature.

5891. That does not say one word about the powers of judicature?—The answer to that question is, that the power has never been exercised by anybody.

5892. Lord John Russell.] It is stated in the preamble of that Act, "Whereas doubts have been entertained whether the provisions of an Act passed in the 43d year of the reign of his late Majesty King George the Third, intituled, An Act for extending the jurisdiction of the courts of justice in the provinces of Lower and Upper Canada to the trial and punishment of persons guilty of crimes and offences within certain parts of North America adjoining to the said provinces, extended to the territories granted by charter to the said Governor and Company, and it is expedient that such doubts should be removed, and that the said Act should be further extended"?—Yes.

5893. Therefore that was the purpose?—It was for the purpose of doing that; and I remember that I suggested at the time, "Take every power you can to ensure that; to the extent of such means as you may be able to employ, justice shall be administered to your satisfaction."

5894. Mr. Christy.] With reference to that matter, did not you consider that the

the Company entered into an obligation to send all criminal cases, and those civil cases involving an amount above 200 £, to be tried in the Courts of Canada?—I believe it was, whenever they were required to do so by the Crown; I forget the exact words, but it was intended that that obligation should exist whenever the Secretary of State, I think, should require it; the Act of Parliament speaks for itself.

5895. Mr. Roebuck.] You stated, I think, that the sum derived as profit by the Company for 17 years, amounted to something more than 60,000 £.?—Yes.

5896. You stated also that the annual interest of the capital of the Company was 12½ per cent.?—Yes; that the profits of the fur trade were 65,000 £.

5897. How do you make those two statements agree, taking half a million to be the nominal stock of the Company?—There would be some difficulty in arriving at that conclusion; but the fact is, the Hudson's Bay Company make other profits upon their trade, and they make interest upon their capital.

5898. Then the statement that they have made only 65,000 £. in 17 years, does not represent the actual state of facts as regards the Company?—I beg your pardon, it represents precisely the fact.

5899. Then how do you make it agree with the statement that they divide amongst the shareholders 12½ per cent.?—I tell you that the 65,000 £. is the net profit which they derived from the fur trade, not from their trade generally; they have beyond that the interest of money; the Hudson's Bay Company are a large trading establishment, and they employ even more capital than the 500,000 £.; they have certain deposits of money in their hands. This Committee does not inquire into the details of the profits of the Hudson's Bay Company, as far as the fur trade is concerned which is connected with the government of the country, and the licence, I tell you exactly the facts; but I do not suppose you intend to inquire into all the details of the affairs of the Hudson's Bay Company; everything that the Committee require with a view to the government or connexion of the Company with the fur trade shall be fully and fairly before them.

5900. I believe that the nominal stock was from time to time raised?—Not the nominal stock; the real stock was raised.

5901. You used the word "nominal" yourself?—It does not necessarily follow that if a railway company has a stock of a million of money, it may not owe another million of money, or that part of its capital may not be borrowed money; the stock upon which the dividend is made, and which is the Hudson's Bay Company's stock, is 500,000 £.

5902. When you started, it was not that, and you nominally increased it; we will say, for the purpose of taking some figures, that it was 300,000 £., and then you declared it to be 500,000 £.?—I beg your pardon. I stated distinctly that at the time of the union of the companies it was 400,000 £., and that it was subsequently increased to 500,000 £., partly by money which had not been divided, which was added to stock, and partly from money actually paid.

5903. You stated also, that the competition between the North-West Company and the Hudson's Bay Company (I use that phrase for the purpose of brevity), led to a great use of spirits among the Indians?—Yes.

5904. And that one of the great benefits which you supposed to have been derived from the union of the two Companies was concentrating power in the hands of certain parties, which enabled them to prevent the use of spirits?—Yes.

5905. In your opinion, is it possible to regulate the morality of any body of people by law?—That is a very wide question. I should certainly say not; but still, when you have to deal with poor people like the Indians, whose passions may be excited easily by the use of spirits, or by the use of any other stimulant, I think it is your duty, as far as you can, to prevent those consequences.

5906. You would give powers to people, which powers would prevent colonisation, in order to prevent the introduction of spirits?—I would give no power to anybody of any description to prevent colonisation.

5907. Therefore, I conclude from your statement now that if there be any powers in the hands of the Hudson's Bay Company which really militate against colonisation, they ought to be taken away?—Certainly, provided you can effect colonisation by any other means.

5908. And if we are told that there are means of communication between  
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Lake Superior and the Red River, in your opinion we are misled?—No, I can not say that; there are means of communication, because people travel that way, and trade has been conducted that way perpetually; but the question is whether those means are facile means, or whether the means of communication from Lake Superior are equally easy with the means of communication from Minnesota and the adjoining American territory.

5909. I think you also seemed to lean to the opinion that, unless there was some outlet for their produce, there would be no incitement to colonisation?—That has been the case in America. I do not say that if a great community was established in any place, they might not exist without any outlet to their produce; but that implies a very advanced state of society. I do not think that any part of America would have been cultivated or settled unless they could have had a market for their surplus produce.

5910. What do you say to the territory of Utah?—You talk of moral rules for society. The territory of Utah is held together upon extraordinary principles, and has been principally maintained by immense sums of money which misguided emigrants have carried to Utah.

5911. You believe, then, that Minnesota has been colonised and peopled, because the intervening territory between it and the more civilised parts of the United States has become peopled?—I should think it is because the intervening parts have become peopled, or because there are great facilities of communication between Minnesota and civilised places adjacent.

5912. Will you tell me what those means of communication are?—I believe there is either a railroad actually in existence, or it is expected that there will be a railroad.

5913. An expected railroad is no means of communication?—But an American works in anticipation of all possible events.

5914. Why should not that same principle extend to the Red River?—Because you come to Minnesota from the south. You must come to the Red River from the north, and the means of communication are excessively difficult.

5915. Lake Superior is not to the north of the Red River?—I think the Lake of the Woods is to the north of the Red River. You must come by a communication which is in every respect difficult.

5916. I suppose you know that there is a complete communication now between the Atlantic Ocean and Lake Superior?—Yes.

5917. I mean by steam?—Yes.

5918. So that it is very easy to sail from London to Lake Superior?—I have no doubt of it.

5919. Therefore the only difficulty which arises in our communication with the Red River would really arise between the shores of Lake Superior and the Red River?—But there has never been any difficulty in communication with Lake Superior; that has always been a facile communication. If there have not been steam-boats, there have been other vessels upon Lake Superior as long as I can recollect.

5920. But surely, the communication between the Atlantic and Lake Superior was very difficult 20 years ago?—Not very difficult. We had the same difficulties in the rapids of the Sault St. Mary; the communication between Lake Erie and Lake Superior was difficult; all that has been improved with time, and it has been improved as the country has been civilised and settled. I do not know when you may expect (at least I do not dream of it) the country between Lake Superior and Red River to be settled, and you cannot have good communications through any country in which there are not settlements.

5921. Then your belief is, that the hope of settling the Red River is illusory, and that in our time we shall not see it fulfilled?—I think it perfectly illusory, unless it should be settled by settlements pushing up from the southward, and going across the plain from the States.

5922. I think you said that the Hudson's Bay Company was the last remaining proprietary company?—Yes.

5923. And you mentioned that there had been a great number of proprietary colonies in the United States?—Yes.

5924. Did not every one of those colonies, as proprietary colonies, break down?—No, I think not. I forget the exact history. I think the proprietor of Massachusetts established a free government, and made terms respecting it. I think Lord Baltimore did the same in Carolina, and Mr. Penn in Pennsylvania.

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The principle, according to English notions and English notions that the government was leaving its control and its interest in the people in it, and I believe believed with great liberality and justice.

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1857. In every one of those proprietary colonies, was not there an equivalent right in the Crown for a charter?—Of course there was; they could not hold their charters without a charter.

1857. I mean afterwards:—I have not the least doubt that the proprietors came to some arrangement on the subject.

1857. Then the government of the colony was the result of that of the Crown's interference:—Under the Crown's interference in the proprietors' interferences: I think you might say in those proprietors of the right for their desire to extend the boundaries in the colony which belonged to them.

1857. I know that Lord Selkirk was a very benevolent and humane man, but surely the Crown was required to interfere and give power to the colonies to govern themselves:—It is a long time since I have looked to the history of those proprietary governments, but I think you will find that the proprietors had at least as much right as the Crown in whatever influence arrangements took place for the government of those colonies.

1857. You said last that the Government of the Hudson's Bay Company had not been found fault with:—I said that it had been less found fault with than in any other colony under the Crown since the union with the Canadian colonies in 1793 or 1794.

1857. Are you at all aware that that petition is now before the Canadian House of Assembly, according to a Paper of the Right Honourable Member?—I know it is coming from which you have not a signed petition, and I dare say you will have a petition from this settlement: I do not mean by my answer to say that the Government of the Hudson's Bay Company has been perfect: all governments are subject to imperfections, and I dare say the Hudson's Bay Company have committed faults like others. But what I said was this: that in all questions which have been referred to the Colonial Office, where the Colonial Office have either through independent sources or other means, historical inquiries with respect to the grounds of those companies which have been made, the Hudson's Bay Company have been informed by the Colonial Office that the conclusions generally have been without foundation.

1857. Cannot we assume it to be the fact that a company has interests in direct opposition to the interests of the country?—I do not think that we can assume anything as a fact. My opinion is that a company have very little to do with colonization, and that the Hudson's Bay Company would have done much better if they had never had anything to do with colonization: and in fact the Hudson's Bay Company never thoroughly understood colonization in the Red River where they believed it to be impracticable. They said to Lord Selkirk that company, if they entered it in fact, and he was established the colony: and when they represented themselves if it they did it because they thought it to be the immediate interest that there should be an English presence from their own in the Red River and because Lord Selkirk in fact visited to get rid of it. The Hudson's Bay Company, as I have stated in the Committee, have not been backward in establishing colonies upon the western side of the Rocky Mountains where they had means of carrying the produce of the lands which they cultivated to a flourishing market.

1857. Have they established any colony in the British territory west of the Rocky Mountains?—They established it from what they supposed at the time was British territory, namely in Oregon, which was only taken from them by the treaty of 1846; and when it was taken from them as I have stated to the Committee, provision was made that they should still continue to enjoy those possessory rights which they then held.

1857. The British territory in the west of the Rocky Mountains is quite as well provided with means of transit as the American territory.—The action of the Hudson's Bay Company is not sufficient to make colonization everywhere: it is a limited capital. The Commissioner Member has never heard from me at all, and that if you are established a colony successfully anywhere you should allow the Hudson's Bay Company for the instant to possess that colony for the purposes of the trade.

1857. Mr. Charles Fox. You have stated that the Hudson's Bay Company established a colony in Oregon from what they supposed to be British territory. See 1.

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British territory : was not the Columbia River generally supposed to be the boundary?—Certainly.

5935. Did not Dr. McLoughlin establish his colony in the Wilamet Valley?—Dr. McLoughlin was rather an amphibious and independent personage; he was a very able man, and I believe a very good man; but he had a fancy that he would like to have interests in both countries, both in America and in the English territory; and I am sure I do not know now what has become of him, except that he has left the Hudson's Bay Company's service. I wish to say nothing against Dr. McLoughlin, who I believe to have been a very intelligent and very enterprising man; and certainly while he remained with the Hudson's Bay Company he was an excellent servant of the Hudson's Bay Company.

5936. Mr. Roebuck.] While speaking of the conduct of the Company, you stated, amongst other things, that the moment any servant became too intimate in his relations with the Indians, he was removed: what did you mean by that; did you mean to allude to the fact that when any servant of the Company acquired feelings of commiseration or sympathy with the Indians, he was removed?—On the contrary, the servant would be most prized who, by proper means and humane attention, and attempts to civilise the Indians, established an influence with the Indians.

5937. In your opinion, is it for the benefit of the country, taken as a country, that there should be any monopoly of trade in the hands of the Hudson's Bay Company, with regard to their territory?—If you were to allow competition to take place again in the trade of the north-west territories, the competition might last eight or ten years, and the trade would be utterly destroyed; and the Indians would be reduced to a state of want and starvation of which one can give no description.

5938. You stated also, that in America, south of the British line, the trade in fur had almost entirely disappeared?—Yes.

5939. Is not that in consequence of the increase of civilisation in those parts?—Certainly; the march of civilisation naturally puts an end to it.

5940. Therefore, if the same phenomenon were to occur north of that line, you might assume that it was occasioned by the same cause, namely, the increase of civilisation?—Certainly.

5941. Reverse that proposition. If colonisation has not reached across the boundary, is it not in consequence of the maintenance of the fur trade?—I think it will be very difficult to make out that proposition. I do not admit it.

5942. But the fact of the maintenance of the fur trade would prevent anything like colonisation?—Certainly not; the existence of the fur trade prevents colonisation in no respect; there is no reason why colonisation and the fur trade may not go on together.

5943. Is that in accordance with what you have just stated, that wherever civilisation comes the fur trade disappears?—To a certain extent, in the immediate neighbourhood where the land is cultivated, the animal will disappear, and of course the trade will disappear with the animal.

5944. Does not the animal retreat to a very great distance from all colonisation; does not the animal get frightened?—Certainly, and the trader retreats with him.

5945. Mr. J. H. Gurney.] Is it not considered that the cold climate is favourable to the quality of the fur?—Certainly; the best fur comes from the coldest climate.

5946. Therefore the best climate for the production of fur is the worst climate for the production of agricultural produce?—Certainly.

5947. Mr. Roebuck.] But the American territory was a fine hunting country once, was not it?—All that prairie country which is now established; as I said before, I remember 500,000 or a million of deer skins coming into Canada from it.

5948. Therefore the statement that the worse the country the better the hunting ground is not quite accurate?—Yes; these statements are both correct; there were different kinds of animals; the deer and the animal inhabiting the plains was not of the same value for its skin or its peltry as the beaver, or the otter, or the marten, which is found in the north; the greater quantity of the one in the plain may have made up for the smaller quantity of the more valuable fur in the northern region.

5949. In



5949. In the American territory, when it was a fur-bearing territory, was not there a large quantity of beaver?—Yes: there was a large quantity of beaver very far south in the Mississippi at one time, but it is all destroyed; but that beaver was not so valuable as the beaver in the north, or the otter either.

5950. Mr. *Christy*. I will just ask you a question with reference to one point put by Mr. Roebuck, as respects the communication with the Red River; you are aware of what is termed the direct route, perhaps?—That is the old route by which the Canadian fur traders went by Lake Winnipeg and the Lake of the Woods.

5951. Are you aware that that has fallen very much into disuse by its getting out of repair?—Yes; there never was a regular road there; in the old time the greater part of the distance was never travelled by a cart or by a horse; it was travelled in canoes. Those canoes came to what were called portages, over which the men carried the loads of the canoes on their backs; there never was any other road.

5952. I do not want to dwell on this subject, but Colonel Crofton gave in evidence that he would have no difficulty in marching troops by that route?—I have no doubt of it; if Canadian voyagers can take heavy loads of goods in canoes, troops can march easily.

5953. Are you aware that Canada has lately voted the sum of 5,000*l.* for improving and opening that route?—I am very glad to hear it.

5954. I have a paper which has come to my knowledge for the first time since I have been in this Committee, which prints the statement that Canada has voted 5,000 *l.* for that purpose?—I am quite sure that if Canada intends to open that route, Canada will have every assistance and cordial co-operation on the part of the Hudson's Bay Company in that undertaking.

5955. For the purpose of more clearly expressing the questions which I intended to put to you this morning, I have written them, and I will preface them merely by saying that if there are any which are of too personal a nature, I hope you will not attribute them to any improper motive on my part?—There can be none of too personal a nature.

5956. I would also say that I think it essential to institute rather a close examination into the capital of the Company?—This Committee has nothing to do with the capital of the Company.

5957. In reference to the question which I have previously put, I believe you never were in the country of the Red River?—No; but I have been in constant communication with every man who has been across that route from Canada.

5958. The whole of the information which you have given to the Committee this morning is based upon the information which you have derived from various sources?—I beg your pardon, it is given from my own personal knowledge; with respect to whether a country which I have never seen is fit for colonisation, that is not given from personal knowledge, but it is given from statistical information.

5959. And not from any personal knowledge as far as having travelled in any part of this country?—I have travelled in no part of it; I have not travelled beyond Lake Superior.

5960. Then you cannot inform the Committee whether you think that the 5,000*l.* which has been voted by Canada would be a sufficient sum for improving and opening that route?—I can, as far as opinion goes. It would go a very little way. Labour is very dear in that country, and the track being partly rock and partly swamp, if a road is to be formed it will be a very difficult undertaking, and I should think that 5,000*l.* would not go far in establishing a communication, that is to say, which a horse could travel.

5961. I believe you were at one time one of the principal partners of the North-West Company before its junction with the Hudson's Bay Company?—Yes.

5962. I therefore presume that you are well acquainted with the constitution and history of both companies?—Yes.

5963. Are you aware that in 1749 the affairs of the Hudson's Bay Company were brought before a Committee of the House of Commons, and much interesting evidence obtained of the nature and extent of their trade and business operations at that period?—I am not aware of it; but it is a matter of history, I suppose.

5964. The report I have here, which gives a very detailed account of the constitution

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constitution of the Company at that time; referring to that report I wish to draw your attention to the statement which appears of the amount and successive augmentations of the Company's stock up to that time?—The evidence which I have given before this Committee has reference only to the time when I was connected with the Company, which was in 1821, when the Canadian companies and the Hudson's Bay Company united, and formed a very different Company from anything that had ever been known before under the title of the Hudson's Bay Company. Nothing that previously took place in the affairs of the Hudson's Bay Company can at all have reference to what has been the conduct, or the management of the Company, for the last 40 years.

5965. I think you are acquainted with the constitution of both Companies?—Perfectly.

5966. As it is a matter given to the House of Commons, and therefore is a public matter, I wish to draw your attention to the statements of the successive augmentations which are given in the report to which I have referred?—But that is, how many years ago?

5967. One hundred years ago?—Surely what took place 100 years ago has very little to do with what we are discussing now, namely, the state of the Hudson's Bay Company.

5968. Excuse me, it is the only information which has ever been given to Parliament, or which has ever been made public, by which the public have been able to obtain any information of the proceedings of this Company?—It is all printed for the benefit of the public; the public can refer to it; I have never even read it.

5969. It appears that in 1676, by the books of the Company, their stock was 10,500*l.*; in 1690 the same was trebled, not by subscription, but by the creation of nominal stock, and declared to be 31,500*l.*; in 1720 the stock was again trebled in the same way, and declared to be 94,500*l.*; a subscription was then taken for 3,150*l.* by each person subscribing 100*l.*, and being accredited with 300*l.* It appears to have become trebled also as before, and the amount carried out is 9,450*l.*, making the total capital, as declared on the 23rd of December 1720, 103,950*l.*, only 13,150*l.* of which was actually paid up. The question which I wish to ask is, whether you can give to the Committee any information regarding the profits of the Company at that period, which enabled them to perform these remarkable augmentations?—I can give to the Committee no information upon that subject; but having ascertained the stock of the Company was about 103,000*l.*, I myself offered Sir Richard Neave, who was then governor of the Company, 103,000*l.* Navy 5*l.* per cent. for the whole Hudson's Bay Company about the year 1804. I did it in order to purchase the Hudson's Bay Company for the Canadian companies at the time, and that transaction only was not carried into effect because part of the stock was found to be the property of infants, and other persons incapable of giving a title, or making a transfer, and which would have made it necessary for the parties to go to the Court of Chancery for powers, and I did not at that time want that this transaction should be published.

5970. In the Parliamentary Papers which were printed in 1842, I find a letter from the governor of the Hudson's Bay Company to the Committee of the Privy Council for Trade, in which Sir John Pelly writes to Lord Glenelg on the occasion of his applying for the renewal of the Company's licence in 1838, in which he states that from 60 to 70 per cent. was annually divided among the shareholders?—If Sir John Pelly stated that, he stated that which was not the fact; there must be some mistake.

5971. Mr. Edward Ellice.] That refers to 1690?—It is more than 100 years ago. There is one thing which occurs to me with respect to this question of profit altogether. If the profit of the Hudson's Bay Company was very much diminished, the Company itself would cease to exist, because the shareholder really does not get more profit for the investment of his capital than any common trader who invests his capital in business in England; and the people who conduct the trade in the interior, where they live probably for six months in the year without tasting bread or an esculent vegetable of any kind, are but poorly paid with the share of the profit which they derive for their labour; and if the profit was to be so diminished as not to give to these men a sufficient temptation in the way of remuneration to remain in the country, the country would become completely disorganised. It is a question entirely of profit whether you can maintain either the Hudson's Bay Company or their servants.

servants. If there is not an adequate profit to maintain them, the thing must of necessity decline and be destroyed.

5972. *Mr. Christy.*] My question went more to the capital than to the actual profit which had been divided?—If you ask anything about capital, from the time that I know anything about the Hudson's Bay Company, I am quite willing to answer it.

5973. I was wishing to bring down the tradition, as I may say, based upon the only facts which are at my disposal, of the history of this Company from 100 years ago until the present time; in the same document I observed that on the junction of the North-West and Hudson's Bay Companies, the capital stock of the united associations was declared at 400,000 *l.*?—It was 400,000 *l.* actually paid either in the inventories of stock at the different posts, or in money.

5974. It appears to be made up in this way; a call was made upon the shareholders of the Hudson's Bay Company, augmenting their stock to 200,000 *l.*?—Yes.

5975. While the North-West Company contributed a similar sum?—Yes.

5976. Are you aware how that amount was made up?—It was made up, as the question itself states, by the Hudson's Bay Company contributing money to make up the deficiency in their inventories at the time; the capital was composed, for instance, of the inventories of goods at the posts in the interior: there was a great trading capital, some of it took two years to bring the accounts of the stock at the different places; there was the remnant of the furs on hand; there were the goods on hand at the various posts, but the whole was either money or money's worth.

5977. Was the additional 100,000 *l.* contributed by the Hudson's Bay Company actually paid up?—It was actually paid up, because we began the concern with 400,000 *l.*, and therefore it must have been found somehow or other; I believe that it was paid in hard money.

5978. Then it was not nominal capital?—No.

5979. It had not increased nominally as previously?—No; it was actual money or goods; one of the two.

5980. I find by a statement recently laid officially before this Committee, that the present stock of the Company is 500,000 *l.*?—Yes.

5981. How was the additional 100,000 *l.* added to the 400,000 *l.*?—It was in a great measure by undivided profits; that is to say, by money which would have been divided as a bonus; it was supposed that the Company wanted more capital, and instead of dividing the whole profit to the shareholders, the Company only divided 10 per cent. and put the remaining money in stock.

5982. They have increased their capital of 400,000 *l.* by adding profits of 100,000 *l.* to it?—By adding money, whether it was the profits which they had realised or not; the capital of the stock is 500,000 *l.* money capital.

5983. What is the value of the stock, is it 100 *l.* stock?—It is 100 *l.* stock; its value is about 200 *l.*; it pays annually a 10 per cent. dividend, and occasionally there has been a five per cent. bonus.

5984. Can you state to the Committee how much of the present stock of the Company has been paid up?—The whole has been paid up.

5985. In the same statement which has been laid before this Committee, I observe an item of 84,111 *l.* paid to Lord Selkirk for the Red River Settlement?—That is the money actually paid to Lord Selkirk, with interest added to it. The Honourable Gentleman is aware that when merchants make a purchase they open an account, and they debit to that account the money which the estate cost them, and they add the interest, and deduct any revenue or receipt which they have had from it since; and the 84,000 *l.* is the balance of such an account.

5986. In 1836, as you have already stated to the Committee?—Yes.

5987. *Chairman.*] Deducting your profits?—Yes, I am afraid there are no profits; it is the accumulation of interest.

5988. *Mr. Christy.*] The 84,000 *l.* is a moneyed sum due to Lord Selkirk?—It is that money, and interest outstanding upon their books.

5989. May I ask you out of what funds could the money be paid?—Out of our capital or profits. We have a great deal of money which is not in our capital stock; we are depositaries for large sums of money belonging to the people in the interior. Any company of this description has larger transactions than the immediate amount of its capital.

5990. Would that be in the light of borrowed money?—It is deposit money; Bankers,

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Bankers, and other people trading as companies, receive money upon deposit, and probably allow a lower interest than they get for it. We have large transactions beyond the fur trade.

5991. Mr. J. H. Gurney.] The Hudson's Bay Company are in fact the bankers for the whole of that district, are they not?—They are bankers for all; it is a facility for their servants. For instance, when the profits are divided, they credit a man's account with the profit, and they allow him interest upon the balance.

5992. Mr. Christy.] I have before me a pamphlet which has been published, known by the name McGillivray's Book, being "A Narrative of Occurrences in the Indian Countries of North America, since the connection of the Right Honourable the Earl of Selkirk with the Hudson's Bay Company." I find at page 65 of that pamphlet, the following passage:—"From Lord Selkirk's acquisition of the majority of votes, the Hudson's Bay Company may be said to centre in one individual. The Governor and Court are merely his agents, and the remaining proprietors, bound by the sense of the majority, can make no opposition. Without intending the slightest imputation to the directors, they can have only the option of resignation in the event of difference of opinion with his Lordship, and the re-election of their successors must depend solely upon his decision. In this manner his Lordship has acquired the immense tract of land before stated, and no attempt till the present one has ever been before made to take advantage of the supposed territorial rights under this charter. We humbly conceive, therefore, that before a title can be secured by length of possession, it ought to be made the subject of inquiry by His Majesty's Government, and directions given to the Attorney-general to eject his Lordship from the occupancy of the land in question, at the suit of the Crown, to whom it can alone belong." That was on the 29th of May 1815?—I am not sure that I am not the author of that libel upon the Hudson's Bay Company; it is either Mr. McGillivray or myself. I have written many things as violent as that against the Hudson's Bay Company, and I suppose that parties who are engaged in a violent contest one with the other, write a great many things which it would be very difficult to reduce to proof.

5993. I think you are quite right; it is signed by "McTavish, Fraser & Company," and "Inglis, Ellice & Company."—I told the Committee before that I had taken every opinion for and against the Company.

5994. Therefore I believe that when you were connected with the North-West Company you denied, in common with other members of that association, the legality of the sub-monopoly granted by the Hudson's Bay Company to Lord Selkirk?—We disputed the rights of Lord Selkirk connected with his grant of land. I do not know that there was any sub-monopoly given to him. Lord Selkirk warned us off as poachers. There were different proclamations made, that we had no right to kill an animal upon his land. Rights connected with the possession of land in Great Britain were assumed to be those which Lord Selkirk could enforce at the time, and we were at actual war with one another, and of course we denied every right which they had. But it is not because we have denied those abuses of the rights of property that we may not now maintain the rights of possession which we have acquired.

5995. You have since asserted them, and found it to your interest, I suppose, to maintain them?—It is not a question of interest at all; it is a question of law. We may have been wrong in our law then, and we may be right in our law now.

5996. However, you took counsel's opinion upon the point, and you wrote, I believe, yourself a book upon the subject?—I did so.

5997. I have not it with me, though I have had the honour of reading that book in former years?—That is 41 years ago.

5998. May I ask whether your opinions are changed, or whether they remain the same with respect to that grant to Lord Selkirk as they were at the time you wrote?—They remain a good deal the same. The Hudson's Bay Company at that time gave to Lord Selkirk a great part of what is now the state of Minnesota. They gave Lord Selkirk not only what is within their own territories, but a great deal of that which is within the American territories, and Lord Selkirk's representatives are at this moment at issue with the United States government, claiming compensation for that which the Hudson's Bay Company over granted. If the Honourable Member means to ask me whether I entertain

I entertain all the opinions which I asserted as *ex parte* opinions upon one side of the case 40 years ago, I should be very sorry to bind myself to them.

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5999. I will put a question based upon a deduction; do you not consider that supposing the Company in the first instance made an illegal grant to Lord Selkirk, any claim to compensation would fail if that illegality can be shown?—The united Company, which consisted of the very persons who objected to the grant to Lord Selkirk, as well as the members of the old Company, must have entertained a better view of the title upon re-examination, since they repurchased the territory.

6000. But that might involve other considerations. I think you stated other considerations, namely, that there were separate interests; that it interfered with the Company's trade?—Yes, but we should not have received a legal re-conveyance of the land from Lord Selkirk, which we have done, if we had not supposed that there had been some title to it.

6001. Have you extinguished the Indian title to the land of this settlement?—We are getting into a question about Indian title, which is very difficult altogether. The English Government never extinguished the Indian title in Canada when they took possession; the Americans, while they have been extending their possessions, have extinguished the Indian title, but in Canada there has never been any treaty with the Indians to extinguish the title; the Crown, retaining certain reserves for the Indians, has always insisted upon the right to occupy the lands, and to grant the lands.

6002. Do you know the amount of the compensation made by Lord Selkirk to the Indians?—No. I never heard that he made any, and I am inclined to think that he would have made none, except that he wanted at that time to keep the Indians at peace; he may have given them some wampum. A bottle of rum used to be a very good consideration to the Indians for any given tract of land in those days.

6003. Are you aware whether the rights of Lord Selkirk were under any treaty?—I am not aware of that.

6004. There has been some objection to state the amount of stock standing in the names of the various shareholders; I asked for a return of the names of the shareholders, and the amount of stock which they held; I thought that it was not an unusual return to ask for?—Very unusual.

6005. The return, I believe, has been given to the Colonial Office in the form of names embodied in a pamphlet, but there has been no return of the stock standing individually in those names?—I should think the House of Commons would be very unwilling to inquire into the private affairs of individuals, excepting upon some public grounds. I have never been aware that a Committee of the House of Commons has undertaken that. The Hudson's Bay Company is like any other trading company. Any inquiry which is necessary for public objects the House of Commons I suppose would authorise; but as to going into the private affairs of individuals it is quite unusual.

6006. I believe the House of Commons frequently requires a list of shareholders, with the stock standing in their names?—Yes; whenever a Company applies to Parliament for any privilege, or for any capital, it is so; but it is not so when you do not go to Parliament for anything, and the Hudson's Bay Company do not apply to Parliament for anything that I know of.

6007. I think that the object of this Committee is in consequence of an application to Parliament to assist the Hudson's Bay Company to extend the term of their licence?—That is not an application to Parliament at all, and I do not believe it to be of any great consequence to the Company whether the licence is re-granted to them or not. Some of their traders in the interior rather think that the licence might be dispensed with. If the Crown do not think it of importance to re-grant the licence (and the Crown ought not to re-grant the licence unless they do think it of importance to the good government and peace of the country), if they choose to refuse it, the Hudson's Bay Company cannot complain.

6008. *Chairman.*] You are speaking of the country beyond the limits of the charter?—Yes; we ask for nothing within the limits of the charter. The licence is granted to us as a Company beyond the limits of the charter of the Hudson's Bay Company.

6009. *Mr. Christy.*] Then you think it an improper question to ask for the amount

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amount of stock standing in the names of the shareholders?—It is unusual; I do not know whether it is improper.

6010. May I ask you upon what authority the Company hold courts of record at the Red River Settlement?—Under the powers granted by their charter.

6011. I see in the letter to which I have referred, at page 25 of the Parliamentary Papers of 1842, which is signed by Sir John Pelly, that at that time when the Company were asking Parliament to give them powers, he alludes particularly in that letter to the courts of record under the Great Seal?—Yes.

6012. Subsequently to 1838, courts were established; are they under the Great Seal, or under what authority?—They are under the seal of the Company.

6013. Is the Great Seal the seal of the Company?—The seal of the Company. The charter is under the Great Seal of the Crown, from which they derive their authority.

6014. I think I asked you before as to the obligation of the Company to send criminal cases and civil cases above 200*l.* to be tried in the Court in Canada: may I ask you again whether you understand the reference in those grants and in the Act of Parliament to compel the Company not to adjudicate on such causes, but to send them to Canada under a penalty of 5,000*l.*?—Sending them to Canada depends, I believe (I have not looked at the Act lately), upon the requisition of the authorities in this country so to send them. There is nothing imperative in the Act of Parliament requiring the Company to send for adjudication anything within their own territories. I take all the provisions of the Act to relate to territories beyond their own boundaries. I have not looked at the Act lately. As far as I recollect, those are the terms of the Act.

6015. When you were connected with the North-West Company, you were chiefly instrumental, I believe, in obtaining that Act of the 43d of George 3d?—No.

6016. In the grant of the renewal of the charter in 1838, were not express stipulations entered into with reference to cases of this nature?—There never was a re-grant of the charter that I am aware of; there was a re-grant of the licence. There was no stipulation entered into then at all. The same conditions were implied which were implied at the original grant of the licence, and a new one was added: the right of establishing colonies within the Indian territories over which the licence was given.

6017. I think it applies to both licensed and chartered territories distinctly, as I understand it, and, I believe, as many other persons understand it too; but I understand you to take a different view, namely, that it only applies to licensed territories?—So far as I recollect the terms of the Act, excepting simply the provision which Mr. Roebuck read to me, and which enabled the Government to constitute justices within the territory, overriding all the rights of the Hudson's Bay Company, all the other provisions of that Act refer to the territories without the limits of the Hudson's Bay Company.

6018. If the trade was thrown open, would not the Company, by means of their forts and establishments over the whole of the hunting districts, together with the long friendship which has existed between them and the Indians, be enabled to retain the great bulk of the trade against any probable competition which might arise?—I have no doubt that whether the licence is granted to them or not, the Hudson's Bay Company can prevent any other trade with the Indians; and not only that, but if you were to destroy the Hudson's Bay Company, their servants now in the interior, in possession of the trade, and having intimate relations with the interior, would carry on that trade against any competition from Canada, or against any competition from elsewhere; and even if it was necessary, and if the attempt was made to deprive them of what are, in short, the sole means of existence, they would find means, either by communication with America or somewhere else, to carry on the trade, and exclude every other party.

6019. Did not the North-West Company practically enjoy a monopoly of the fur trade, although no exclusive rights were granted them?—No; the original North-West Company soon split into two, in consequence of a difference about interests; then the two Companies were in active competition against each other, as well as in competition against the Hudson's Bay Company, and it was very

very uncertain for a long time which of them lost most money; none of them gained money.

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6020. Can you inform us of the money value sold in London of the furs imported from the United States?—I cannot; and I do not think it has much reference to the inquiry before this Committee: I know nothing about it.

6021. I think you informed the Committee that the trade in furs in the United States territory, and the trade in the southern portion of the Hudson's Bay territory, was very nearly extinguished?—It is very nearly extinguished in the States by the advance of civilisation and settlement, and there is very little valuable trade left in the southern part of the Hudson's Bay Company's territories; the animals are extinguished by competition between the traders upon both sides of the line.

6022. By competition, and by the advance of civilisation, I understand that the fur trade has very much decreased; yet at the same time, I suppose you are aware that there is a very large importation sold annually in London from these districts of which we have been speaking?—There is a certain importation, but nothing in proportion to the importation which I recollect of furs from America; on the contrary, there is an exportation to America from this country of furs, which are imported here by the Hudson's Bay Company.

6023. Should you suppose that the importation from the United States amounted to 100,000 *l.* a year?—I have known it amount to nearly a million: that consists of skins of various descriptions which we should scarcely call furs. There is a trade in furs which comes even now from South America: the skins of a few animals are collected in various places all over that vast continent, and I dare say they may come here, to the extent of 100,000 *l.*; no doubt of it.

6024. I assume that the valueless nature of the trade in the southern district of the Hudson's Bay Company's territories, and we may say in the northern districts of the United States territories, arises from competition, and from a higher price being given originally?—Not at all; it arises from the nature of the country, which is not a fur-bearing country; that part of the country is plain; there are buffaloes, and some wolves found there, always attendant upon herds of buffaloes, but there are no very valuable animals in that district; the trade in that country is chiefly of value to the Hudson's Bay Company for the supply of meat, which they obtain by killing buffaloes, and by trading with the Indians in buffaloes.

6025. The Hudson's Bay Company have posts established in Canada, I think?—Yes.

6026. Is it not the case that the furs collected at those posts do not afford much profit to the Company; I think you stated that some of them were a loss?—I did not say that with reference to the posts in Canada. I said it of the posts established upon the frontier between the United States and the Red River. I believe the Hudson's Bay Company would not carry on the posts in Canada unless they derived some profit from them; people are not apt to carry on business without the expectation of profit; the furs collected in the posts in Canada, which are let by the Government of Canada to the Hudson's Bay Company, are very valuable; they come from a country very far north.

6027. Would you see any objection to giving the tariff price which was paid to the Indians, as was given in 1749 to the House of Commons?—I see this objection, that you are entering unnecessarily into the details of the trade; those details when published may encourage other people to enter into competition with the Company. I do not see that there is any advantage to be gained to the public by that.

6028. Will you inform the Committee whether the Hudson's Bay Company have taken any step to prevent any portion of their territories, which are capable of settlement, from falling into the hands of any foreign state?—No foreign state is likely to wish to have possession of them; but I have no doubt they would take every precaution they could against the invasion of their territories, and they would take that most reasonable of all measures in such a contingency, they would make a representation to the Government of this country, that an English territory had been taken possession of by persons having no claim to it.

6029. Do you think that there is any apprehension at the present moment of such a settlement being made within what you consider to be the southern territories of the Hudson's Bay Company?—None in the lifetime of the youngest man now alive.

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6030. Were any steps taken with regard to the Oregon district at the time when Dr. McLaughlin took over into Oregon people who were said to be, and who were, I suppose, at that time, under the government or control of the Hudson's Bay Company, and who were handed over by him to the American Government; were any steps taken to prevent that at that time by the Hudson's Bay Company?—I have already told you that Dr. McLaughlin was rather a singular and independent man; he followed his own course. He went over with some of his people, but the Hudson's Bay Company did not think it for their interest to dispute with him. He may have taken some of the people over, and established himself in the district of the United States, and he probably has become a citizen of the United States. Surely the Government of this country, or of Hudson's Bay, could not prevent that if he was so inclined?

6031. But I think that at the time when people were so taken, they supposed that they were going into a British settlement?—Very likely; then Dr. McLaughlin misled them, that is all.

6032. Mr. Lowe.] We have heard of Governor Douglas, the Governor of Vancouver's Island; have you formed any opinion of that gentleman?—I believe he is an excellent Governor; the Colonial Office had a great opinion of him from all that I have heard.

6033. Supposing that we should found a colony on the Red River Settlement, can you give us any idea of the steps which would be required to be taken in order to do it, and the expense which would be incurred?—You must pass some Act of Parliament to constitute a Government there. I do not think it would be safe to have recourse to the power of the Crown, which every now and then is relied upon in founding these colonies. Then you must appoint a Governor and Judges, and you must appoint other officers of that Government. It would be rather an expensive affair, and I do not see from what possible source you could derive one shilling of revenue towards the expenses.

6034. Should we require a military force there?—There has been a military force once or twice, sent there at the desire of the Hudson's Bay Company, and latterly they have applied to the Government again. They were threatened with the invasion from Canada of some gentlemen coming in to look after the fur trade. They thought that that might excite some disturbance among the half breeds, and that it might extend easily across the line. There was further danger from disputes and threatened hostilities between the Americans and Indians. It would not be very advisable to leave that part of Her Majesty's dominions without protection under such circumstances. They have therefore lately applied to the Government to send out some troops, which the Government pay, and the Hudson's Bay Company feed.

6035. Would the colony require more or fewer troops than under the management of the Hudson's Bay Company?—It would necessarily require more; the instant that you establish the Queen's government anywhere you have the American government established opposite. I do not think it would be a very advisable experiment.

6036. You would have to place the settlers upon land?—Yes, and to maintain them until they could maintain themselves.

6037. Is there abundance of land sufficient to entice settlers?—I believe not. From all I have heard upon the subject, the alluvial soil collected upon the banks of the rivers is very good and very fit for cultivation; the moment you get upon the prairie it becomes marshy and very bad.

6038. Would you not require a road?—Certainly you would require communication with some other dependency of the Crown.

6039. You were asked what colonised Minnesota; was not it the Mississippi River?—It was the Mississippi River and the gradual extension of settlements up the Mississippi River.

6040. The Mississippi River does not extend near the Hudson's Bay Territory?—If it did, the Hudson's Bay Territories would very soon become American.

6041. When we have taken all these steps, can you mention any inducement which would make settlers go there?—I know of none while settlers can establish themselves on lands in America under very much more favourable circumstances; in this very country of Minnesota in Upper Canada, and in parts of Lower Canada, the country within the ken of good institutions is not one-tenth part peopled yet, and it is very difficult to settle wild countries, even in the best situations, without the advance of great capital.

6042. And



6042. And you do not see, I take it, any means of raising a revenue?—None.

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6043. You do not see any means of exporting produce?—It is impossible to export from the Red River unless a railroad comes from the south. If a railroad come from Minnesota that would carry any produce from the Red River, but it is a dreadful navigation to Hudson's Bay, the only other means of export; and even if they got it to the shores of the bay, the season is so uncertain that very often the ship would leave the produce behind.

6044. Would not the trade of such a colony necessarily pass through the United States, whatever it was?—I think it must. I think a great number of attempts have been made in America to determine routes for political reasons, but they all end in the natural communication being followed.

6045-6. Supposing we have got over all these difficulties and formed the colony, what would be the fate of that colony in case of a war breaking out between this country and the United States?—You could send no succour there: you could not maintain your troops. You have no means of maintaining a garrison, unless precautions are taken beforehand to import provisions through Hudson's Bay, or to obtain provisions in the interior. If there was any war between England and the United States the country would be entirely at the mercy of the different tribes of Indians upon the frontier, paid or bribed by either party to commit excesses one against the other.

6047. Mr. J. H. Gurney.] With reference to the stock, is any considerable portion of the Hudson's Bay Company's stock held in Canada?—I think not. I think the Hudson's Bay Company's stock held in Canada, which was a very large proportion of the whole stock, was sold in consequence of the failure of the parties in Canada who had been ruined by the trade. I saw a statement the other day that three-fourths, or certainly two-thirds of the stock, is now held by different people from those to whom it was apportioned in the division in 1821 or 1822.

6048. Mr. Grogan.] You have stated that some troops are going out to the Red River Settlement at present?—Yes.

6049. For the purpose of the preservation of peace, I presume?—Yes; to prevent any alarm about the half breeds; there have been disturbances in the adjoining territory between the Americans and the Indians; there have been such disturbances in Minnesota; the country has been threatened with war there lately, and we were alarmed that it might extend; the Indians, when once engaged, get to war with one another, and they are not over scrupulous as to whom they attack, and it was supposed to be better to be in a state of preparation against any contingency.

6050. Chairman.] I believe troops have been stationed there before?—Troops have been stationed there for the very same reason before; the country became quiet and the troops were withdrawn; apprehensions were entertained in consequence of this Indian warfare going on in the neighbouring state, and an application was made again for troops.

6051. Mr. Grogan.] When the Queen's troops were stationed there in the first instance, were not they sent there for the purpose of in some degree allaying the disturbance or excitement which prevailed in the colony in consequence of the half breeds entering into the trade in furs?—No, I think not especially for that; whenever any excitement takes place immediately upon that frontier it extends beyond it; some gentlemen are going in from Canada now, I believe, to endeavour to re-open the trade in furs; the first means which they will have recourse to in order to promote that trade will be to get some of those half breeds with them; the half breeds will again enlist some of the Indians; that may lead to disturbances upon the frontier which it is very desirable to have security against.

6052. Was it to guard against any apprehension of that sort that this provision of the troops was made?—Not on that account only, but from the danger which there always is on that frontier from any state of disturbance; from whatever reason, among the Indians.

6053. But apprehension in respect of Canadian traders was one of the reasons which induced the application for troops?—It was to guard against that contingency which I state.

6054. I believe you have heard that there is a good deal of agitation among the Canadian people now, with regard to their right to enter into the fur trade?



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—I do not believe there is any very great agitation on the part of the Canadian people; the Canadian public naturally take an interest in this inquiry, and there are of course parties seeking to profit by the abolition of the Company, if that should be the issue of it. There is, also, some idea that the legal claims of the Hudson's Bay Company have not been fully established before any of our courts here; and there is a general notion that a full inquiry should take place before any renewal of the licence.

6055. Is it within your knowledge that there have been meetings of the Canadians, with regard to getting up companies among themselves, or individual traders, to prosecute the fur trade in the country?—I have not the least doubt that at the bottom of the agitation in Canada is the expectation of certain people in Canada, that they may participate in the fur trade in the north-west country. But then I should think that the public in Canada and the Government in Canada would be the last persons to encourage that expectation; it would only involve the country in distraction, and could benefit nobody. It might create a disturbance which would be very prejudicial to the peace of the country. I am sure the Government of Canada cannot desire that.

6056. Can you see any objection to these parties embarking in the fur trade greater now than existed while you yourself were an authorised party with regard to the North-West Company?—Certainly not; but the difficulty was so great then that we were obliged to have recourse to the extreme measure of converting the whole concern into a monopoly to prevent the very grievous consequences which flowed from the competition of the trade.

6057. Did not the Hudson's Bay Company, at the time I am referring to, previous to the junction of the two Companies, claim as unlimited and extended a jurisdiction over Rupert's Land as they do now?—Yes, just the same.

6058. But you, as the opponent party, did not think that they were entitled to it?—We stated the best case we could against them; we were in the character of plaintiffs and defendants.

6059. In the Parliamentary Papers printed in 1849, there is an Act of Parliament for confirming to the Governor and Company of Hudson's Bay all privileges of trade. It was passed in the second year of the reign of William and Mary, in 1690, and there is a special provision at the end of it, that the Act is only to be in force for seven years; can you give any explanation how, after the expiration of the seven years, the Company still continued to possess those privileges?—No. I suppose that there was some disturbance created, either by the French or by other parties at the time, which made it supposed to be necessary that there should be some Parliamentary sanction given to the charter. The Act confirms everything in the charter for the seven years, but saves all the rights as they then existed.

6060. "Provided always, that this Act shall continue and be in force for the term of seven years, and from thence to the end of the next Session of Parliament, and no longer"?—Yes.

6061. That is a very curious provision to confer powers on a Company which are now supposed to continue?—But subsequently to that Act of King William, in every treaty and in every Act of Parliament which has been passed relative to that part of America, the rights and privileges of the Hudson's Bay Company have always been saved by the Crown and by Parliament. Therefore it could not be supposed that they did not exist.

6062. Is it your opinion, then, that the subsequent legislation or subsequent grants to the Company have given them a right to this territory, which under this Act they did not possess?—It does not say that they did not possess the rights under that Act; that Act only confirms them.

6063. That Act confirms them for a period of seven years only?—For a limited period; but it does not challenge them in any way.

6064. I understand, that the Hudson's Bay Company claim the extended jurisdiction over Rupert's Land under their charter?—Yes.

6065. What was the reason, therefore, if that charter was good, that they found it necessary to apply to Parliament?—I really cannot tell; it is a great many years ago. But in all the subsequent treaties, and in all the subsequent Acts of Parliament which are passed relating to North America, you have the rights and privileges of the Hudson's Bay Company saved by Parliament and by the Crown. There must have been some rights and privileges to be saved, or they would not have been so saved.

6066. I do

6066. I do not see any saving clause in this Act; it conveys the powers absolutely, with the limit that they shall not extend beyond seven years?—That Act was passed in 1690. In 1708 an Act of Parliament was passed, in the 6th of Anne, in which it was declared that it shall be lawful for all her Majesty's subjects to trade to any part of America where they might not otherwise lawfully have traded before the passing of the Act. On the petition of the Company, supported before a Select Committee by counsel, a clause was added, providing that nothing in the Act should extend to take away or prejudice any of the estates, rights and privileges of the Hudson's Bay Company. Now that Act was passed in 1708, immediately following 1690. Then, in 1744, there are two Acts; then you come to 1803, when there is an Act; in 1818 there is an Act, and so you have gone on in all these Acts saving the rights of the Hudson's Bay Company.

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6067. Are you aware that this Act was passed on a petition from the Hudson's Bay Company themselves, in order to exclude other people from the territories in question?—No; I am not aware at all of what the particular reasons were; but I believe there were some difficulties about seizures which the Hudson's Bay Company had made at the time, and which is a very difficult question.

6068. There was such a petition from the Hudson's Bay Company?—You will find that the prayer of that petition was granted by the provisions of the Act of Parliament.

6069. The prayer of the petition was for "confirming their privileges, and the better securing the said trade"?—All lawyers know that although a grant to trade may be very good, the difficulty is to enforce it.

6070. Mr. Christy.] In the event of a colony being established, which was independent of the Hudson's Bay Company in the southern part of their territories, and another in the western part of their territories, and the Company being left in possession of the northern part, would you not consider that if a Commissioner was appointed under the Crown, to whom all grievances might be addressed, it would be a very proper provision under such powers granted to the Company?—The Crown has now the power, under the Act establishing the right to grant the licence, to establish magistrates in any part of the territory it pleases for the administration of justice, and for the protection of all Her Majesty's subjects; no new power is required.

6071. I ask you whether it would be a very proper provision, provided the Company had the possession which I have suggested?—The provision exists in the Act of Parliament.

Mr. Alexander Isbister, called in; and further Examined.

6072. Mr. Christy.] THE Committee are bringing their examination to a close, and it will be necessary to condense the questions and answers as much as is practicable to meet the convenience of the Committee, who have a very short time to sit. I propose to ask you some questions in reference to the resources and capabilities of the territories with which you are acquainted, and upon which you have derived a great deal of information; I understand that you are desirous to communicate information relative to the resources and capabilities of the territory?—I shall be happy to do so.

Mr. A. Isbister.

6073. What opportunities have you had of acquiring information upon this subject?—I have travelled through the whole country from the frontiers of the United States to the Arctic Ocean in one direction, and from Russian America to Hudson's Bay in the other.

6074. Will you confine yourself as much as possible to the information which you have not already stated; have you published anything of a scientific character upon the minerals and products of the country?—I have written a geological account of that country, which has been published, with a coloured geological map, in the Quarterly Journal of the Geological Society for 1856, and a geographical memoir and survey of the country west of Mackenzie's River, which has been printed in the Journal of the Royal Geographical Society. I have likewise contributed several papers on the same or collateral subjects to the British Association for the Advancement of Science.

6075. Is that map which we have had exposed in the Committee, a copy of one which you laid before the Geological Society in 1855?—Yes; so far as the geological part of it is concerned.

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6076. Do you think that there are any other sources of trade than that in furs, which might be opened up with that country?—Unquestionably there are: the charter expressly states that the objects for which it is granted are “the founding a trade in furs, minerals, and other considerable commodities;” amongst those commodities are expressly mentioned the whale fishing and the fishing of sturgeon and other fish.

6077. What information are you able to give with regard to the fisheries?—In the first place there is a very valuable fishery off the mouth of Mackenzie's River, which has recently been opened up by the United States; there is a report from the secretary of the United States navy to the senate upon this fishery, to which reference has been made in the last address of Admiral Beechey to the Royal Geographical Society; I will make a reference to it to prove the value of the fishery.

6078. To what page do you refer?—Page 154. Speaking with reference to the Arctic expeditions which had been sent in search of Sir John Franklin, he says: “I need hardly remind you, of the report from the secretary of the United States navy to the Senate, to the effect that in consequence of information derived from one of our Arctic expeditions to Behring Strait, a trade had sprung up in America by the capture of whales to the north of that Strait, of more value to the States than all their commerce with what is called the east, and that in two years there had been added to the national wealth of America, from this source alone, more than 8,000,000 of dollars.”

6079. What is the nature of the access to Mackenzie's River?—I think that the United States have opened up this access to us, and pointed the way to it. Behring's Straits are, as every one knows, passable for ships of any burthen: and the sea off Mackenzie's River is open for a great portion of the year; some theorists maintain that it is open during the whole of the year. Those who are familiar with the Arctic works recently published have heard something probably of the “Polynia” of the Russians, and this is the position in which it is supposed that this Polynia is. We know that the sea is open along the Siberian coast: Baron Wrangel has proved it: he could not get on for the open water. The fisheries of Mackenzie's River itself are not at present very valuable, but they could of course be developed in connexion with the fisheries there is, for instance, a very valuable salmon fishery there, and herrings are in the greatest abundance. As for the fisheries in the lakes and rivers, they may perhaps not be immediately available, but all those lakes are stored with very fine fish, and as salt is abundant, they may be mentioned among the resources which are available, or may be rendered available by-and-by. In Hudson's Bay itself there are also very good facilities for the whale and seal fishery. It was stated the other day, I think, by one of the commanders of the Company's ships, that he had seen no whales. I happen to have a book here containing an official Report laid before Parliament of the imports from Hudson's Bay by the Hudson's Bay Company for 10 years, from 1738 to 1748.

6080. Mr. Edward Ellice. Of what date is that book?—The book itself is dated some time towards the end of the last century. It contains an extract from the Report of the Parliamentary Committee of 1749, in which it is stated that the Company imported in the year 1747 as many as 1,314 whale fins, which of course represented more than 600 whales.

6081. Did they come from Hudson's Bay?—It is so stated here; there is also a considerable quantity of oil given in the Return as an ordinary article of import.

6082. Does it say whether they were black or white whales?—It does not say. I understand that the Hudson's Bay Company, at that time, kept oil factories at Deptford. I speak of course, under the correction of the Honourable Member. There is plenty of salmon also, in the Hudson's Straits. In Ungava Bay there is a very productive fishery, and all along that Labrador coast, cod, salmon, herring, caplin, and other fish are abundant.

6083. From what information do you derive these statements?—I have given the information.

6084. Out of a book?—A book of a character which is quite unimpeachable.

6085. What is it?—The address of Admiral Beechey.

6086. Do you know upon what authority Admiral Beechey has made these statements in the address to the Royal Geographical Society?—He makes the statement

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statement upon the authority of a report of the Secretary of the Hudson's Bay Company to the Senate.

1847. Then it is upon the evidence of an American witness that these statements are made.—Yes.

1848. Chairman. Are there any other points with reference to the resources of the territory of the Hudson's Bay Company to which you are desirous of calling the attention of the Committee?—I will state the resources of those territories that these lands are rich in minerals and vegetable products useful in commerce, and the minerals and I will state to you the great value each land if you will allow me. The minerals I have already mentioned upon which reference to the mineral products every one is aware that there are great numbers of sulphates, red lead, and will harness covering the plains of the west, and from those an important trade in wool and hides could be raised, just as we have it from Russia. With reference to the vegetable products, I think that whatever grows in Russia may be grown with benefit in Hudson's Bay.

1849. What do you mean by Russia?—All the vast provinces within we receive from Russia, such as tea, iron, and coal, could be raised with profit and advantage in portions of the territory around Hudson's Bay.

1850. Russia contains every variety of climate, from the Ocean to the Arctic—A climate in the northern part of Russia. Descriptive of the soil and the Hudson's Bay country, and of a superior quality. The report of the Secretary of it a year from Russia the commodities and other parts. It is said we can take some of it from Hudson's Bay. At 1000 gardens of commodities are annually imported from Russia. They grow at present the shores of Hudson's Bay. There is also a plant which is a very interesting one, and yet its history may be primarily not of very great importance just now. This is the *Arctostaphylos*. It was formerly imported in the country of the Hudson's Bay Company under the name of *Arctostaphylos*; that is the Indian name. It is a tradition that the first time a company imported it was in 1793. That the Indians took such a great liking to it that they were sometimes found to be in it. It is now a tradition, but the fact is rather extraordinary. That is that time in which the Parliamentary Report refers, when the imports of the Company were so small, they should have imported eight hundred of this article that this country in one year and sold it in the London market. The import was sufficient to supply the demand from your house nobody knows. With reference to the minerals, I shall prefer that I have to say with the permission of a gentleman from the House of Commons. He says speaking of these minerals, it would be the economy in the Imperial Government in the Hudson's Bay Company, viz. the virtual over-riding of the tax system which spreads northward from Lake Superior to the coast without regard to the mineral resources of Canada. I have little doubt if many of the accessible resources amounting to millions of dollars of the greater value than all the minerals which the Empire has and sells. The minerals have been already subjected to a general war by the House of Commons. The action which I have fear is from the House of Commons, but which I have been. I am not speaking merely of it as a whole but I mention it as given a description, but in the House of Commons, after saying these very many valuable minerals which he has not referred to. There are immense quantities of salt in a very pure state near Great Slave Lake and a great abundance of mineral fat which is useful, and is employed as tar in fact, by the Hudson's Bay Company for their boats and other uses. The value of the *Arctostaphylos* I have said is not a new mineral, the banks of the river being composed of deep beds of strata which are associated with iron and lead of iron ore. The soil is usually plastic in parts with the transition of minerals and I have myself often found a pure iron ore of the natural ore in which it occurs in fact deep without finding any bottom. The river itself is of great depth. It would admit vessels of the largest class; there is not a single interruption in it from the Arctic Ocean down to the Great Slave Lake.

1851. Is there anything more which you wish to state upon that point?—There is abundance of iron ore along that country, and there are many other mineral resources.

1852. Mr. Charles Fitzgibbon. Do you know of any other pass over the Rocky Mountains besides that which is followed by the Hudson's Bay Company in their expeditions?—There are three passes, one through the *Rocky Mts.*, one through the *Rocky Mts.*, and one through the *Rocky Mts.*

Mr. A. Isbister. which actually flows right through the mountains; there is one from the northern branch of the Saskatchewan, and one near the southern branch, which is the pass that was followed by Sir George Simpson when he went over.  
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6093. Could wheel carriages cross that southern pass?—They did so. There were a number of emigrants, amounting to about 200, who left Red River the very spring that I left it myself to come to England; they went across the country from Red River with their cattle and carts, and went right down to Fort Vancouver with all their property.

6094. Mr. J. H. Gurney.] Did they keep on British territory all the way?—I cannot speak positively on that point; I do not think that they themselves knew, or could know. There is just one other point which I would mention. I am anxious to lay before the Committee a petition which I have recently received from the Red River settlers, signed by some hundred names, which will be found appended to it.

6095. *Chairman.*] Is that a petition to the House of Commons?—It is a petition addressed to the Legislative Assembly in Canada, and sent here to me by a Member of that Assembly.

6096. Mr. *Edward Ellicé.*] Is that the same petition which was put in by Mr. Roche?—I did not see that petition.

6097. When you say that it has been sent to you, by whom has it been sent to you?—By Mr. Macbeth, who presented the petition to the Legislative Assembly, and who is himself a native of the Red River Settlement.

6098. Will you have the goodness to hand it in?—(*The Witness delivered in*

*Vide Appendix. the same.*)

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Letter from the Chairman of the Hudson's Bay Company to the Right Honourable H. Labouchere, M.P. - - - - - p. 405

Appendix, No. 11.

Copy of the existing Charter or Grant by the Crown to the Hudson's Bay Company; together with Copies or Extracts of the Correspondence which took place at the last Renewal of the Charter between the Government and the Company, or of Individuals on behalf of the Company; also, the Dates of all former Charters or Grants to that Company - - - - - p. 407

Appendix, No. 12.

Petition from the Board of Trade of the City of Toronto to the Legislative Council, presented 20th April 1857 - - - - - p. 435

Appendix, No. 13.

Letter from E. A. Meredith, Esq., to the Hon. Chief Justice Draper, C.B. - - - - - p. 436

Appendix, No. 14.

Letter from R. G. Smith, Esq., to Major Caldwell, Governor of Assiniboin - - - - - p. 437

Appendix, No. 15.

Petition of Inhabitants and Natives of the Settlement situated on the Red River, in the Assiniboin Country, British North America - - - - - p. 437

Appendix, No. 16.

Letter from the Committee of the Aborigines Protection Society to the Right Honourable Henry Labouchere, M.P., Chairman - - - - - p. 441

Letter from F. W. Chesson, Esq., Secretary to the Aborigines Protection Society, to the Right Honourable H. Labouchere, M.P., Chairman - - - - - p. 444

Letter from Peguis, Chief of the Saulteaux Tribe at the Red River Settlement, to the Aborigines Protection Society, London - - - - - p. 445

Appendix, No. 17.

List of the Adventurers of England trading into Hudson's Bay, November 1856 - - - - - p. 446

Appendix, No. 18:

Letter from R. G. Smith, Esq., Secretary to the Hudson's Bay Company, to H. Merivale, Esq.; with Enclosures - - - - - p. 449

Appendix, No. 19.

Copies or Extracts of Despatches received by Her Majesty's Secretary of State for the Colonies, on the subject of the Establishment of a Representative Assembly at Vancouver's Island, p. 450

## A P P E N D I X.

## S E S S I O N I.

## Appendix, No. 1.

EXTRACT from the REPORT from the Committee appointed to Inquire into the State and Condition of the Countries adjoining to *Hudson's Bay*, and of the Trade carried on there. 1749.

To the Right Honourable the Lords of a Committee of His Majesty's most Honourable Privy Council.

Appendix. No. 1.

May it please your Lordships,

In humble obedience to your Lordships' Order in Council of the 4th of February last, representing that, by an Order in Council, bearing date the 26th day of January last, there was referred to your Lordships the humble petition of Arthur Dobbs, esq., and the rest of the committee appointed by the subscribers for finding out a passage to the Western and Southern Ocean of America, for themselves and the other adventurers; and that your Lordships, having taken the said petition into consideration, were pleased to refer the same to us, to consider thereof, and report our opinion thereupon to your Lordships.

Which petition sets forth, that the petitioners, in the year 1746, did, at their own costs and charges, fit out two ships upon an expedition in search of the north-west passage to the Western and Southern Ocean of America, in order to extend the trade, and increase the wealth and power of Great Britain, by finding out new countries and nations to trade with, as well in the great north-western continent of America, beyond Hudson's Bay, as in countries still farther distant, and hitherto unknown to the Europeans; and also to many large and populous islands in that great Western Ocean.

That the petitioners, by means of the said expedition, have made several discoveries of bays, inlets, and coasts, before unknown, and have a reasonable prospect of finding a passage to the Southern Ocean, by sea, although the discovery may not be perfected without repeated trials, upon account of the difficulties and danger of searching different unknown inlets and straits, and sailing through new seas, and of procuring men of resolution, capacity, and integrity, to pursue it effectually.

That the petitioners find that the reward of 20,000 £, given by Parliament, is not adequate to the expense the adventurers must be at to perfect the discovery, they having already expended above half that sum in their late expedition.

That the petitioners find that, upon a former attempt, his Majesty's predecessor King Charles the Second, as a suitable encouragement, granted a Royal Charter to the Governor and Company of Adventurers of England, trading to Hudson's Bay, making them a body corporate for ever, upon their petition, setting forth that they had, at their own proper costs and charges, made an expedition to discover a new passage into the South Sea, and for finding some trade of furs, mines, and other commodities; and gave them the sole property of all the lands they should discover, together with an exclusive trade to all the countries within Hudson's Straits, not in possession of any of his subjects, or of any other Christian power, with the royalties of mines, minerals, gems, and royal fish, to enable them to find out the passage, extend the trade, and to plant the countries they should discover, paying two elk and two black beavers, whenever and as often as his Majesty and his successors should enter their territories; granting to them the greatest privileges as lords proprietors, saving only their faith and allegiance to the Crown of Great Britain.

The petitioners beg leave to observe, that the said Company have not since effectually, or in earnest, searched for the said passage, but have rather endeavoured to conceal the same, and to obstruct the discovery thereof by others; nor have they made any new discovery either upon the coast, or in the inland countries adjoining to Hudson's Bay, since the grant of their charter; nor have they taken possession of or occupied any of the lands granted to them, or extended their trade into the inland parts of the adjoining continent; nor made any plantations or settlements, except four factories, and one small trading-house, in all which they have maintained, in time of peace, about 120 persons, servants to the Company; nor have they allowed any other of his Majesty's subjects to plant, settle, or trade in any of



Appendix, No. 1. the countries adjoining to the Bay granted to them by their charter; yet have connived at or allowed the French to encroach, settle, and trade, within their limits on the south side of the Bay, to the great detriment and loss of Great Britain.

That the petitioners, being desirous to pursue the discovery of the passage to the Southern Ocean of America by land or by water, will engage not only to prosecute the same until it be thoroughly discovered as far as practicable, but also to settle and improve the land in all the countries on that northern continent, by making alliances with, and civilising the natives, and incorporating with them, and by that means lay a foundation for their becoming Christians, and industrious subjects of his Majesty; and also extend the British trade into the heart of that northern continent around the Bay, and into such countries as they may discover beyond it in the Western Ocean, and to use their utmost endeavours to prevent the French encroachments upon the British rights and trade in that continent.

In order therefore to enable the petitioners to prosecute and bring to perfection so valuable a discovery, and to civilise the natives and settle the lands without loss of time; and that the trade and settlement of such extensive countries may not be longer delayed, or perhaps for ever lost to his Majesty and his successors, by the encroachments of the French,—

The petitioners most humbly pray, that his Majesty would be graciously pleased to incorporate the petitioners and the other subscribers for finding out the said passage, or such of them and such other persons as they shall engage in the said undertaking, and their successors for ever, and grant to them the property of all the lands they shall discover, settle, and plant, in a limited time, in the northern continent of America adjoining to Hudson's Bay and Straits, not already occupied and settled by the present Company of Adventurers trading to Hudson's Bay, with the like privileges and royalties as were granted to the said Company: and that his Majesty would be pleased to grant unto the petitioners (during the infancy of their settlements) an exclusive trade, for such a term of years as may be granted to discoverers of new arts and trade, to all such countries into which they shall extend their trade by land or by water, not already granted by Act of Parliament to other companies, reserving to the present Company of Adventurers trading to Hudson's Bay all the forts, factories, and settlements they at present occupy and possess, with a reasonable district round each of their possessions and factories; or that his Majesty would be pleased to grant the petitioners such other relief and encouragement as to his Majesty in his great wisdom should seem meet.

We have taken the same into consideration, and have been attended by counsel both in behalf of the petitioners, and the Hudson's Bay Company, who oppose the petition; as it interferes with their charter.

The petitioners insisted on two general things: that the Company's charter was either void in its original creation, or became forfeited by the Company's conduct under it.

That the petitioners have, by their late attempts to discover the north-west passage and navigation in those parts, merited the favour petitioned for.

As to the first, the petitioners endeavoured to show, that the grant of the country and territories included in the Company's charter was void for the uncertainty of its extent, being bounded by no limits of mountains, rivers, seas, latitude or longitude, and that the grant of the exclusive trade within such limits as there were, was a monopoly, and void on that account.

With respect to both these, considering how long the Company have enjoyed and acted under this charter, without interruption or encroachment, we cannot think it advisable for his Majesty to make any express or implied declaration against the validity of it, till there has been some judgment of a court of justice to warrant it; and the rather, because, if the charter is void in either respect, there is nothing to hinder the petitioners from exercising the same trade which the Company now carries on; and the petitioners' own grant, if obtained, will itself be liable, in a great degree, to the same objection.

As to the supposed forfeiture of the Company's charter by nonuser or abuser, the charge upon that head is of several sorts, viz.: That they have not discovered, nor sufficiently attempted to discover, the north-west passage into the South Seas or Western Ocean:

That they have not extended their settlements through the limits of their charter:

That they have designedly confined their trade to a very narrow compass; and have for that purpose abused the Indians, neglected their own forts, ill-treated their own servants, and encouraged the French.

But on consideration of all the evidence laid before us, by many affidavits on both sides (herewith enclosed), we think these charges are either not sufficiently supported in point of fact, or in a great measure accounted for from the nature or circumstances of the case.

As to the petitioners' merit, it consists in the late attempts made to discover the same passage; which, however as yet unsuccessful in the main point, may probably be of use hereafter in that discovery, if it should ever be made, or in opening some trade or other, if any should hereafter be found practicable; and have certainly lost the petitioners considerable sums of money.

But

But as the grant proposed is not necessary in order to prosecute any future attempt of the like kind, and the charter of the Hudson's Bay Company does not prohibit the petitioners from the use of any of the ports, rivers, or seas included in their charter, or deprive them of the protection of the present settlements there, we humbly submit to your Lordships' consideration, whether it will be proper at present to grant a charter to the petitioners, which must necessarily break in upon that of the Hudson's Bay Company, and may occasion great confusion by the interfering interest of two companies setting up the same trade against each other in the same parts, and under-like exclusive charters: All which is humbly submitted to your Lordships' consideration.

D. Ryder.  
W. Murray.

10 August 1748.

(true copy.)

W. Sharpe.

## Appendix, No. 2.

PAPERS delivered in by Sir George Simpson, and referred to in his Evidence,  
2 March 1857.

Appendix, No. 2.

(A.)

### LAND DEED.

THIS INDENTURE, made the \_\_\_\_\_ day of \_\_\_\_\_ in the year of our Lord One thousand eight hundred and forty \_\_\_\_\_ between the Governor and Company of Adventurers of England, trading into Hudson's Bay, of the one part, and of \_\_\_\_\_ of the other part.

WHEREAS the said \_\_\_\_\_ is desirous of becoming a settler upon the land hereinafter described or intended so to be, being certain part of a territory in North America, belonging to the said Governor and Company, and held under the Crown by charter. NOW THEREFORE, THIS INDENTURE WITNESSETH, That, in consideration of

and in consideration also of the covenants hereinafter contained on the part of the said \_\_\_\_\_ they, the said Governor and Company, do hereby grant, demise, and lease unto the said \_\_\_\_\_ his executors, administrators, and assigns, ALL THAT piece or parcel of land, being \_\_\_\_\_ of lot No. \_\_\_\_\_, as described at large in the official survey of Red River Settlement, and containing, more or less, \_\_\_\_\_ English acres,

Lot, No.

with the necessary appurtenances thereto, TO HAVE AND TO HOLD the said piece or parcel of land hereby demised or intended so to be, and every part thereof, with the appurtenances unto the said \_\_\_\_\_ his executors, administrators, and assigns, from the day next before the day of the date of these presents, and for and during and unto the full term of One thousand years, thence next ensuing; yielding and paying therefore yearly and every year, during the said term, and upon the Michaelmas day in each year, the rent or sum of one pepper-corn, the first payment whereof to be made upon the Twenty-ninth day of September next ensuing the date hereof. AND the said \_\_\_\_\_ for himself, his heirs, executors, and administrators, doth hereby covenant and agree with the said Governor and Company, in manner following, that is to say, that he the said \_\_\_\_\_ shall or will, within forty days from the date hereof, settle and establish himself or themselves and continue to reside upon the said hereby demised land, and shall or will, within five years from the date of these presents, bring or cause or procure to be brought into a state of cultivation one-tenth part of the said hereby demised land, and thenceforth continue the same in such state. AND that, during the said term, he the said \_\_\_\_\_

Term, 1,000 years.

One-tenth of the land to be brought into cultivation within five years.

Reservation of Indian trade, &c.

Distillation of spirits.

Support of ecclesiastical, civil, and military establishments.

his executors, administrators, and assigns, shall not, directly or indirectly, mediately or immediately, violate or evade any of the chartered or licensed privileges of the said Governor and Company, or any restrictions on trading or dealing with Indians or others, which have been or may be imposed by the said Governor and Company, or by any other competent authority, or in any way enable any person or persons to violate or evade, or to persevere in violating or evading the same; and, in short, shall obey all such laws and regulations as within the said settlement now are, or hereafter may be, in force, for preventing the distillation of spirits, for preserving internal peace, for repelling foreign aggression, for making and repairing roads and bridges, and for encouraging and promoting general education and religious instruction. AND that he the said \_\_\_\_\_

his executors, administrators, or assigns, shall or will from time to time, and at all times during the said term, contribute in a due proportion to the expenses of all public establishments, whether of an ecclesiastical, civil, military, or other nature, including therein the maintenance of the clergy, the building and endowment of schools which are or shall

Appendix, No. 2.

or may be formed under the authority of the charter or charters hereinbefore referred to. AND also that he or they at proper seasons in every year, and in or towards the making and repairing of such roads and highways as lie within miles from the said hereby demised premises, shall and will employ himself or themselves and his or their servants, horses, cattle, carts, and carriages, and other necessary things for that purpose, where and when required so to do by the surveyor or overseer for the time being, appointed for the making and amending public roads, bridges, and highways within such limits as aforesaid; such requisition, nevertheless, in point of time, not to exceed six days in each year computed day by day, and from Michaelmas to Michaelinas. And also that he the said

his executors, administrators, and assigns shall not, nor will, without the licence or consent of the said Governor and Company for that purpose first obtained, carry on or establish, or attempt to carry on or establish in any parts of North America, any trade or traffic in or relating to any kind of skins, furs, peltry, or dressed leather, nor in any manner directly or indirectly aid or abet any person or persons in carrying on such trade or traffic; nor shall nor will at any time or times during the said term distil, or cause or procure to be distilled, spirituous liquors of any nature or kind soever, either upon the land hereby demised, or within any other part of the territories belonging to the said Governor and Company in North America, nor during the said term, knowingly suffer or permit any other person or persons whomsoever to distil any such liquors upon the said demised land or any part thereof. And the said for himself, his heirs, executors, and administrators, doth hereby further covenant with the said Governor and Company, and their successors, that he the said his executors, administrators, and assigns, will use his and their best endeavours to maintain the defence and internal peace of the territories of the said Governor and Company in North America, and shall and will be chargeable therewith according to such laws and regulations as are now in force in respect of the same territories, or as shall from time to time be made by competent authority; and also that he the said

his executors, administrators, or assigns, shall not nor will at any time or times during the said term, or by any direct or indirect, mediate or immediate manner, ways, or means, infringe or violate or set about or attempt to infringe or violate, or aid, assist, or abet or set about or attempt to aid, assist, or abet, or supply with spirituous liquors, trading goods, provisions, or other necessities, any person or persons whomsoever, corporate or incorporate, or any prince, power, potentate or state whatsoever, who shall infringe or violate or who shall set about or attempt to infringe or violate the exclusive rights, powers, privileges, and immunities of commerce, trade, and traffic, or all or any other of the exclusive rights, powers, privileges, and immunities, of or belonging or in anywise appertaining to, or held, used, or enjoyed by the said Governor and Company and their successors under their charter or charters, without the licence or consent of the said Governor and Company, and their successors for the time being, first had and obtained. AND LASTLY, that he the said

his executors, administrators, or assigns, shall not nor will, at any time during the said term, under-let, or assign, or otherwise alienate, or dispose, or part with, the actual possession of the said land hereby demised or any part thereof, for all or any part of the said term, or any interest derived under the same, without the consent in writing of the said Governor and Company for the time being first had and obtained. AND ALSO that he the said

his executors, administrators, or assigns, shall or will, within six calendar months from the date hereof, as to these presents, and within six calendar months from the date of each respective assignment or under-lease, to be made under or through these presents; and with respect to each such assignment and under-lease respectively, cause these presents and every such assignment or under-lease, when made, to be registered in the register of the said territories in North America, or of the district in which the said hereby demised land shall be situate, and wherever such register shall be kept at the time. PROVIDED ALWAYS, nevertheless, and it is hereby declared and agreed, that if the said

his executors, administrators, or assigns, shall not in all things well and truly observe and perform all and every the covenants and agreements herein contained, on his and their behalf to be observed and performed, then, and in either of such cases, and either upon or after the first breach, or any subsequent breach or breaches of covenant, and as to any subsequent breach or breaches, notwithstanding there may have been any waiver or waivers, or supposed waiver or waivers thereof, by the acceptance of rent or otherwise, it shall or may be lawful to and for the said Governor and Company, and their successors or assigns, to enter into and upon the said hereby demised premises, or any part thereof, in the name of the whole thereof, and to have, hold, retain, and enjoy the same as in their former state, and also to put an end to, and determine the said term of one thousand years, or so much thereof as shall be then unexpired, and all and every person or persons then occupying the same premises, or claiming title thereto; to put out and amove, anything hereinbefore contained to the contrary notwithstanding. IN WITNESS whereof, the said parties to these presents have hereunto set their hands and seals, the day and year first above written, at Red River Settlement aforesaid.

Signed, sealed and delivered, in the presence of

(B.)

A STATISTICAL ACCOUNT of RED RIVER COLONY, taken on the 20th to the 24th of May 1856.

Year.	Number of Families.	Ages.										Religion.			Country.						
		Average per Family.	From 18 to 20.	From 20 to 30.	From 30 to 40.	From 40 to 50.	From 50 to 60.	From 60 to 70.	From 70 to 80.	From 80 to 90.	From 90 to 100.	Episcopalian.	Presbyterian.	Catholic.	England.	Ireland.	Scotland.	Canada.	Norway.	Rupert's Land.	Switzerland.
1856.	6,371																				
1856 -	1,082		5	243	276	220	153	85	58	15	4	488	60	534	40	13	116	92	1	816	2
1849 -	1,052			240	252	227	170	92	37	14	-	539	-	513	46	27	129	161	3	684	2
Increase -	30		5	3	24	-	-	-	21	1	4	-	60	21	-	-	-	-	-	132	-
Decrease -						7	17	7	-	-	-	51	-	-	6	14	13	69	2	-	-

Year.	Population.											Dwellings.		
	Men.		Women.		Sons.		Daughters.		Total.			Houses.	Stables.	Barns.
1856.	Married.	Un-married.	Married.	Un-married.	Above 16.	Under 16.	Above 15.	Under 15.	Male.	Female.	Total.			
1856 -	986	237	992	298	521	1,481	451	1,557	3,225	3,298	6,523	922	1,232	399
1849 -	873	145	877	135	382	1,314	373	1,292	2,714	2,577	5,291	745	1,066	335
Increase -	113	92	115	163	139	167	78	265	511	721	1,232	177	166	64
Decrease -	92													

Year.	Live Stock.								Implements.				
	Horses.	Mares.	Oxen.	Bulls.	Cows.	Calves.	Pigs.	Sheep.	Ploughs.	Harrows.	Carts.	Canoes.	Boats.
1856.													
1856 -	1,503	1,296	2,726	290	3,593	2,644	4,674	2,429	585	730	2,045	522	55
1849 -	1,095	990	2,097	155	2,147	1,615	1,565	3,096	492	576	1,918	428	40
Increase -	408	306	629	135	1,446	1,029	3,109	-	93	154	1,027	94	15
Decrease -								667					

Year.	Land.	Machinery.						Public Buildings.				Loss of Animals during Winter, 1855 and 1856.						
1856.	Cultivated at Two Bushels Wheat per Acre.	Wind Mills.	Water Mills.	Threshing Mills.	Reaping Machines.	Winnowing Machines.	Carding Mill.	Churches.	Schools.	Shops : Merchants.	Govl.	Horses.	Mares.	Oxen.	Cows.	Sleep.	Calves.	Pigs.
	<i>Acres.</i>																	
1856 - -	8,371	16	9	8	2	6	1	9	17	56	1	16	3	21	16	43	57	28
1849 - - -	6,392 ½	18	1	-	-	-	-	7	12	-	1	-	-	-	-	-	-	-
Increase -	1,978 ½	-	8	8	2	6	1	2	5	56	-	-	-	-	-	-	-	-
Decrease -	-	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

## AVERAGE VALUE of the above Dwellings, Live Stock, Implements, and Machinery.

Houses.					Stables.		Barns.		
25 Houses, at 300 <i>l.</i> each.	100 Houses, at 100 <i>l.</i> each.	200 Houses, at 50 <i>l.</i> each.	200 Houses, at 25 <i>l.</i> each.	397 Houses, at 12 <i>l.</i> each.	616 Stables, at 8 <i>l.</i> each.	616 Stables, at 5 <i>l.</i> each.	199 Barns, at 12 <i>l.</i> each.	200 Barns, at 8 <i>l.</i> each.	
£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
7,500 - -	10,000 - -	10,000 - -	5,000 - -	4,764 - -	4,928 - -	3,080 - -	2,388 - -	1,600 - -	

Live Stock.					Implements.					
2,799 Horses and Mares, at 8 <i>l.</i> 10 <i>s.</i> each.	3,016 Oxen and Bulls, at 4 <i>l.</i> 10 <i>s.</i> each.	3,593 Cows, at 2 <i>l.</i> 10 <i>s.</i> each.	2,644 Calves, at 1 <i>l.</i> each.	4,674 Pigs, at 10 <i>s.</i> 6 <i>d.</i> each.	2,429 Sheep, at 12 <i>s.</i> each.	585 Ploughs, at 4 <i>l.</i> 10 <i>s.</i> each.	730 Harrows, at 5 <i>s.</i> each.	2,045 Carts, at 1 <i>l.</i> each.	522 Canoes, at 12 <i>s.</i> each.	55 Boats, at 15 <i>l.</i> each.
£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
23,791 10 -	13,572 - -	8,982 10 -	2,644 - -	2,453 17 -	1,457 8 -	2,632 10 -	182 10 -	2,045 - -	313 4 -	823 - -

Machinery.						Total Amount.				
16 Mills, at 100 <i>l.</i> each.	9 Water-mills, at 150 <i>l.</i> each.	8 Threshing Mills, at 40 <i>l.</i> each.	2 Reaping Machines, at 30 <i>l.</i> each.	6 Winnowing Machines, at 2 <i>l.</i> each.	1 Carding Mill.	Dwellings.	Live Stock.	Implements.	Machinery.	GRAND TOTAL.
£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
1,600 - -	1,350 - -	320 - -	60 - -	12 - -	35 - -	49,260 - -	52,901 5 -	5,998 4 -	3,377 - -	111,536 9 -

## COURTS.

Quarterly General Courts, 1855-56.				Total.	Petty Local Courts.					
					Petty Offences.					
August.	November.	February.	May.	Number of Cases.	Trespass.	Cases of Damage and Mis- demeanor.	Hay Ground Privilege.	Assault and Battery.	Defamation of Character.	Total Number of Cases.
No cases.	No cases.	One case.	No cases.	1	1	6	1	1	1	11

## Petty Local Courts—continued.

Debt.											Total Amount of all the 38 Cases of Petty Courts for One Year.
From 1/ to 5/	From 5/ to 10/	From 10/ to 20/	From 20/ to 30/	From 30/ to 40/	From 40/ to 50/	From 50/ to 60/	From 60/ to 70/	From 70/ to 80/	From 80/ to 100/	Total Number of Cases.	£. s. d.
4	8	5	4	2	1	-	2	-	1	27	46 13 6

District of Assiniboia, 1 June 1856.

William R. Smith, Secretary.

T. G. Johnson, Governor of Assiniboia.

(C.)

## INDIAN POPULATION.

IT is a matter of great difficulty to obtain reliable information respecting the Indian population, their migratory habits, and the vast extent of country over which they are spread, misleading the calculations, and rendering it almost impracticable to prepare a satisfactory census. The following estimates have been compiled with great care, from a mass of documents and the actual personal knowledge of several of the Company's officers, tested by comparison with published statements, especially those presented to Government in 1846, by Messrs. Warre and Vavasour, and those of Colonel Lefroy, R.A., contained in a paper read before the Canadian Institute.

## ESTABLISHMENTS of the HUDSON'S BAY COMPANY in 1856, and Number of INDIANS frequenting them.

POST.	Locality.	Department.	District.	Number of Indians frequenting it.
Fort Chipewyan	Indian Territory	Northern	Athabasca	750
Dunvegan	"	"	"	400
Vermilion	"	"	"	250
Fond du Lac	"	"	"	150
Fort Simpson	"	"	M'Kenzie's River	2,000
Fort aux Liards	"	"	"	400
Fort Halkett	"	"	"	300
Youcon	"	"	"	4,000
Peel's River	"	"	"	1,000
Lapierre's House	"	"	"	150
Fort Good Hope	"	"	"	700
Fort Rae	"	"	"	600
Fort Resolution	"	"	"	500
Big Island	"	"	"	80
Fort Norman	"	"	"	700
Ile à la Croix	Rupert's Land	"	English River	700
Rapid River	"	"	"	250
Green Lake	"	"	"	120
Deer's Lake	"	"	"	250
Portage la Loche	"	"	"	50
Edmonton	"	"	Saskatchewan	7,500
Carlton	"	"	"	6,000
Fort Pitt	"	"	"	7,000
Rocky Mountain House	"	"	"	6,000
Lac la Biche	"	"	"	500
Lesser Slave Lake	Indian Territory	"	"	400
Fort Assiniboine	Rupert's Land	"	"	150
Jasper's House	Indian Territory	"	"	200
Fort à la Corne	Rupert's Land	"	"	300
Cumberland House	"	"	Cumberland	350
Moose Lake	"	"	"	200
The Pas	"	"	"	200
Fort Pelly	"	"	Swan River	800
Fort Ellice	"	"	"	500
Qu'appelle Lakes	"	"	"	250
Shoal River	"	"	"	150
Touchwood Hills	"	"	"	300
Egg Lake	"	"	"	200
Fort Garry	"	"	Red River	7,000
Lower Fort Garry	"	"	"	including whites and half breeds.
White Horse Plain	"	"	"	1,000 ditto.
Pembina	"	"	"	200 ditto.
Manitobah	"	"	"	50
Reed Lake	"	"	"	1,500
Fort Francis	"	"	Lac la Pluie	300
Fort Alexander	"	"	"	500
Rat Portage	"	"	"	100
White Dog	"	"	"	50
Lac de Bonnet	"	"	"	200
Lac de Bois Blanc	"	"	"	200
Shoal Lake	"	"	"	500
Norway House	"	"	Norway House	

(continued)

Appendix, No. 2.

P O S T.	Locality.	Department.	District.	Number of Indians frequenting it.
Berens' River	Rupert's Land	Northern	Norway House	180
Nelson's River	"	"	"	400
York Factory	"	"	York	300
Churchill	"	"	"	400
Severn	"	"	"	250
Trout Lake	"	"	"	250
Oxford House	"	"	"	300
Albany Factory	"	Southern	Albany	400
Marten's Falls	"	"	"	200
Osnaburg	"	"	"	200
Lac Seul	"	"	"	300
Matawagamingue	"	"	Kinogumissée	250
Kuckatoosh	"	"	"	150
Michipicoton	Canada	"	Lake Superior	300
Batchewana	"	"	"	100
Mamainse	"	"	"	50
Pic	"	"	"	100
Long Lake	Rupert's Land	"	"	80
Lake Nipigon	Canada	"	"	250
Fort William	"	"	"	350
Pigeon River	"	"	"	50
Lac d'Original	"	"	"	50
Lacloche	"	"	Lake Huron	150
Little Current	"	"	"	500
Mississaugie	"	"	"	150
Green Lake	"	"	"	150
Whitefish Lake	"	"	"	150
Sault St. Marie	"	"	Sault St. Marie	150
Moose Factory	Rupert's Land	"	Moose	180
Hannah Bay	"	"	"	50
Abitibi	"	"	"	350
New Brunswick	"	"	"	150
Great Whale River	"	"	East Main	250
Little Whale River	"	"	"	250
Fort George	"	"	"	200
Rupert's House	"	"	Rupert's River	250
Mistassinny	"	"	"	200
Temiskamay	"	"	"	75
Woswonaby	"	"	"	150
Mechiskan	"	"	"	75
Pike Lake	"	"	"	80
Nitchequon	"	"	"	80
Kaniapiscow	"	"	"	75
Temiscamingue House	Canada	"	Temiscamingue	400
Grand Lac	"	"	"	200
Kakabeagino	Rupert's Land	"	"	100
Lake Nepisingue	Canada	"	"	130
Hunter's Lodge	"	"	"	100
Temagamingue	"	"	"	100
Lac des Allumettes	"	Montreal	Fort Coulonge	200
Joachim	"	"	"	75
Matawa	"	"	"	100
Buckingham	"	"	Lac des Sables	50
Rivière Desert	"	"	"	100
Lachine House	"	"	Lachine	Whites.
Three Rivers	"	"	St. Maurice	Whites.
Weymontachlingue	"	"	"	150
Kikandutch	"	"	"	130
Tadousac	"	"	King's Posts	100
Chicoutimie	"	"	"	100
Lake St. John's	"	"	"	250
Isle Jérémie	"	"	"	250
Godbout	"	"	"	100
Seven Islands	"	"	"	300
Mingan	"	"	Mingan	500
Musquarro	"	"	"	100
Natosquan	"	"	"	100
North West River	Newfoundland	"	Esquimaux Bay	100
Fort Nascopie	Rupert's Land	"	"	200
Rigolet	Newfoundland	"	"	100
Kibokok	"	"	"	100
Fort Vancouver	Washington Terri- tory.	Oregon	Columbia	200
Umpqua	Oregon Territory	"	"	800

P O S T.	Locality.	Department.	District.	Number of Indians frequenting it.	Appendix, No. 2.
Cape Disappointment	Washington Territory.	Oregon	Columbia	100	
Chinook Point	"	"	"	100	
Caweeman	"	"	"	100	
Champoog	Oregon Territory	"	"	150	
Nisqually	"	"	"	500	
Cowelitz	"	"	"	250	
Fort Colvile	Washington Territory.	"	Colvile	850	
Pend Oreilles River	Indian Territory	"	"	400	
Flat Heads	Washington Territory.	"	"	500	
Kootonais	"	"	"	500	
Okanagan	"	"	"	300	
Walla Walla	Oregon Territory	"	Snake Country	300	
Fort Hall	"	"	"	200	
Fort Boisé	"	"	"	200	
Fort Victoria	Vancouver's Island	Western	Vancouver's Island	5,000	
Fort Rupert	"	"	"	4,000	
Nanaimo	"	"	"	3,000	
Fort Langley	Indian Territory	"	Fraser's River	4,000	
Fort Simpson	"	"	{ North West Coast Northern Tribes	10,000 35,000	
Kamloops	"	"	{ Thompson's River	2,000	
Fort Hope	"	"	"		
Stuart's Lake	"	"	New Caledonia		
M'Leod's Lake	"	"	"		
Fraser's Lake	"	"	"		
Alexandria	"	"	"	12,000	
Fort George	"	"	"		
Babines	"	"	"		
Connolly's Lake	"	"	"		
Honolulu	Sandwich Islands	"	"		
Add Whites and half breeds in Hudson's Bay Territory, not included				6,000	
Add Esquimaux not enumerated				4,000	
TOTAL				158,960	

The Indian Races shown in detail in the foregoing Census may be classified as follows:

Thickwood Indians on the east side of the Rocky Mountains	35,000
The Plain Tribes (Blackfeet, &c.)	25,000
The Esquimaux	4,000
Indians settled in Canada	3,000
Indians in British Oregon and on the North-west Coast	80,000
Total Indians	147,000
Whites and half-breeds in Hudson's Bay Territory	11,000
Spuls	158,000



(D. 1.)

## REGULATIONS for promoting Moral and Religious Improvement.

*Resolved*, 1st. That, for the moral and religious improvement of the servants, the more effectual civilisation and the instruction of the families and Indians attached to the different establishments, the Sabbath be duly observed as a day of rest at all the Company's posts throughout the country, and Divine service be publicly read with becoming solemnity, at which all the servants and families resident be encouraged to attend, together with any of the Indians who may be at hand, and whom it may be proper to invite.

2d. That in course of the week due attention be bestowed to furnish the women and children with such regular and useful occupation as is suited to their age and capacities, and best calculated to suppress vicious and promote virtuous habits.

3d. As a preparative to education, that the women and children at the several posts in the country be always addressed and habituated to converse in the language (whether English or French) of the father of the family; and that he be encouraged to devote a portion of his leisure time to their instruction, as far as his own knowledge and ability will permit.

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COPY of the 40th and 59th Standing Rules of the FUR TRADE, established by the Councils of the Northern and Southern Departments of *Rupert's Land*.

40th. THAT the Indians be treated with kindness and indulgence, and mild and conciliatory means resorted to in order to encourage industry, repress vice, and inculcate morality; that the use of spirituous liquors be gradually discontinued in the very few districts in which it is yet indispensable; and that the Indians be liberally supplied with requisite necessaries, particularly with articles of ammunition, whether they have the means of paying for it or not, and that no gentleman in charge of district or post be at liberty to alter or vary the standard or usual mode of trade with the Indians, except by special permission of council.

59th. That not more than two gallons of spirituous liquor, and four gallons of wine, be sold at the depôt to any individual in the Company's service, of what rank soever he may be.

(D. 2.)

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EXTRACT from the MINUTES of a COUNCIL for the Southern Department of *Rupert's Land*, held on the 30th May 1851.

*Resolved*, 42. "In order to enforce habits of temperance throughout the Company's territories, it is resolved,

"That from and after this date, no spirituous liquor be issued from the Moose depôt, either to the Company's officers or servants, to strangers, or to Indians; that an equivalent be made for the drams which it has heretofore been customary to give, either in tea, sugar, molasses, biscuit, tobacco, or ammunition; that the allowance of brandy to the Company's officers be discontinued, and that no spirituous liquors be hereafter imported to Moose Factory."

(D. 3.)

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COPY AGREEMENT prohibiting Use of Spirituous Liquors on North-west Coast.

WITH a view effectually to guard against the injurious consequences that arise from the use of spirituous liquors in the Indian trade of the north-west coast, it is hereby agreed by Sir George Simpson, Governor in Chief of *Rupert's Land*, acting on behalf of the Honourable Hudson's Bay Company, and his Excellency Adolphus Etholen, captain in the Imperial navy, and Governor of the Russian American Colonies on the north-west coast of America, acting on behalf of the Russian American Company, that no spirituous liquors shall be sold or given to Indians in barter, as presents, or on any pretence or consideration whatsoever, by any of the officers or servants belonging or attached to any of the establishments or vessels belonging to either concern, or by any other person or persons acting on their behalf, on any part of the north-west coast of America, to the (latitude) northward of latitude 50°, unless competition in trade should render it necessary, with a view to the protection of the

the interests of the Hudson's Bay Company, to discontinue this agreement, in so far as the same relates to or is applicable to that part of the coast to the southward of latitude 54° 40'. This agreement to have effect from the date hereof at New Archangel, or wherever else the Russian American Company have dealings with Indians on the north-west coast, and from the date of the receipt of a copy thereof at the establishments of Takōo, Stikine, Fort Simpson, and Fort McLaughlin.

Appendix, No. 2.

Given under our hands and seals, at New Archangel, this 13th May 1842

(signed) George Simpson. (L. S.)  
Adolphus Etholen. (L. S.)

### Appendix, No. 3.

PAPERS delivered in by Mr. A. Isbister, 5 March 1857.

CORRESPONDENCE between Mr. Abbott Lawrence and Viscount Palmerston, respecting a Complaint alleging that the Hudson's Bay Company furnish large Quantities of Spirits to the Indians on the North-western Frontier of the United States.

#### No. 1.

Mr. Lawrence to Viscount Palmerston.

United States' Legation,  
138, Piccadilly, 12 February 1850.

My Lord,

REPRESENTATIONS have been made to the Government of the United States, from reliable sources, that the Hudson's Bay Company annually furnish to the Indians on the north-western frontier of the United States large quantities of spirituous liquor, endangering thereby the peace of the border, as well as corrupting the Indians themselves. It has been the policy of the United States to prevent, as much as possible, the use of spirituous liquors among the natives. The interests of Her Majesty's Government are believed to be identical with those of the United States in this respect. As complaints of this nature have been frequently made to the Government of the United States, and it has become satisfied that they are well founded, I have been instructed to make this practice the subject of a friendly remonstrance to Her Majesty's Government, and request it to co-operate with the Government of the United States in the repression of the evil, by issuing suitable instructions to the Hudson's Bay Company, or in such other manner as may best accomplish the desired result. I have the honour, therefore, to ask your Lordship to lay this remonstrance before the proper department of Her Majesty's Government, and to request its co-operation in a measure dictated by policy, as well as demanded by humanity.

Appendix, No. 3.

I enclose a copy of a letter to the Secretary of State of the United States, accompanying my instructions on this subject, and

I have, &c.  
(signed) Abbott Lawrence.

Enclosure in No. 1.

Mr. Sibley to Mr. Clayton.

Sir,

House of Representatives,  
Washington, 8 December 1849.

THERE exists on our north-western boundary a state of things which calls imperatively for the interference of the Government. I refer to the immense amount of spirituous liquor which is imported by the Hudson's Bay Company annually, not only for their trade in the British possessions, but which is furnished to the Indians who reside and hunt within the limits of the United States. That this evil exists to a very great extent, and renders null all the efforts of our Government to prevent the introduction of ardent spirits into the Indian country, is a fact which can be established by incontestable testimony, and has been already made the subject of memorials to the proper department. My object in making the communication which I have now the honour to address you is, to ascertain whether there would be any impropriety in having the matter brought to the notice of the British Government, in the shape of a friendly remonstrance from you to the Minister of that Power. I know of no other way to accomplish the proposed end, which is the repression of an evil of great magnitude, threatening the peace of our north-western frontier.

I have, &c.  
(signed) Henry W. Sibley.

Viscount Palmerston to Mr. Lawrence.

Foreign Office, 11 April 1850.

Sir,

I did not fail to refer to Her Majesty's Principal Secretary of State for the Colonies your letter of the 12th of February last, remonstrating against the practice alleged to be pursued by the Hudson's Bay Company, of furnishing annually to the Indians who reside and hunt within the limits of the United States, large quantities of spirituous liquors; and I have now the honour to transmit to you herewith a copy of a letter which Earl Grey has received from Sir John Pelly, the Governor of the Hudson's Bay Company.

In that letter, Sir John Pelly states that spirits are never given to the Indians by the Hudson's Bay Company in the way of trade, either on the frontiers or in any other part of the territories of the Company. Sir John Pelly states, however, that persons residing at Red River Settlement and at Pembina, within the American frontier, carry on an extensive and illicit traffic in furs with the Indians residing within the territories of the Hudson's Bay Company, and that great quantities of spirituous liquors are sold to the Indians in the course of that traffic; and Sir John Pelly adds, that although the Hudson's Bay Company employ all the means in their power to suppress this traffic, their efforts have been in a great measure defeated by the encouragement which it receives on the American side of the border.

I am, &c.  
(signed) Palmerston.

Enclosure in No. 2.

Sir John Pelly to Earl Grey.

Hudson's Bay House, London,  
9 March 1850.

My Lord,

I HAVE the honour to acknowledge the receipt of Mr. Under Secretary Hawes' letter of the 6th instant, accompanied by the copy of a letter from the office of the Secretary of State for Foreign Affairs, enclosing a remonstrance from the Government of the United States against the practice alleged to be pursued by the Hudson's Bay Company of furnishing large quantities of spirituous liquors to the Indians on the north-western frontier of those States. Mr. Hawes adds a request on the part of your Lordship that I would make a report to you on the allegations contained in those papers.

To the allegations contained in this remonstrance, and in the letter of Mr. Sibley, on which it appears to be founded, I have no hesitation in giving the most unqualified denial. Spirits are never given to the Indians by the Hudson's Bay Company in trade, either on the frontiers or in any other part of their territories.

The average quantity of spirits annually supplied to each of the frontier posts, according to the best information to which I have access at present, does not exceed twenty gallons. A small portion of this not very extravagant supply, rendered harmless by dilution, is given to the Indians as a "regale" when they bring the produce of their hunts to the station, in conformity with a custom of long standing, which it has been found impossible to discontinue without altogether abandoning the fur trade in a large district of country. Whether this can endanger the peace of the frontier, I leave your Lordship to judge.

Far be it from me, however, to say that spirits are not used, and that in large quantities, in trading with the Indians on the frontiers. The Hudson's Bay Company are well aware that an illicit traffic in furs is carried on to a great extent within the Company's territories by persons residing, some at Red River Settlement, and others at Pembina, within the American frontier; that the article chiefly used by those persons in this traffic is spirits, and that the furs so procured invariably find their way to the fur-traders at St. Peter's. This is the evil which endangers the peace of the frontier, if it be endangered, and which the Hudson's Bay Company are using every means in their power to suppress; but their efforts towards this end have been in a great measure neutralised by the encouragement given to it from the American side of the border.

The American Government, I am aware, has established stringent regulations against the use of spirits in the Indian trade, but it is a well-known fact that those regulations are evaded, and that spirits are even clandestinely introduced into the Company's territories by citizens of the United States. In a country situated as these frontier districts are, it is not an easy matter to give effect to regulations or laws, to the breach of which there is so strong a temptation in the gain to which it leads; but I can confidently assure your Lordship of the readiness of the Hudson's Bay Company to use the most strenuous exertions to carry out any measures which Her Majesty's Government and the Government of the United States may agree upon as best adapted to repress the evil in question.

I am not sorry, my Lord, that this subject has been brought under your Lordship's notice, as it affords me an opportunity of correcting the erroneous statements which have been made in Parliament, and promulgated through the press, respecting the quantities of spirits imported into their territories by the Hudson's Bay Company.

Your Lordship will probably be surprised when I inform you that, from the year 1842 to 1849 inclusive, the average quantity annually imported by the Company into the whole of the territories under their control, to the east and west of the Rocky Mountains, is only 4,396½

4,396½ gallons; a quantity which, if distributed only to the men employed in the service in daily allowances, would amount to less than two table-spoonfuls to each man. It is to be observed, too, that out of the above-mentioned quantity the troops stationed at Red River Settlement in 1846, 1847, and 1848 (whose consumption in daily rations alone was upwards of 4,500 gallons) had to be supplied, and also the corps of pensioners who succeeded them. There cannot, therefore, have been much left for the demoralisation of the natives.

I have, &c.  
(signed) J. N. Pelly.

DEED of LAND to *Joseph Monkman*, 12th day of March 1844.

THIS INDENTURE, made the Twelfth day of March, in the year of our Lord One thousand Eight hundred and Forty-four, between the Governor and Company of Adventurers of England, trading into Hudson's Bay, of the one part, and *Joseph Monkman*, of Red River Settlement, yeoman, of the other part.

WHEREAS the said *Joseph Monkman* is desirous of becoming a settler upon the land hereinafter described or intended so to be, being certain part of a territory, in North America, belonging to the said Governor and Company, and held under the Crown by Charter. NOW THEREFORE, THIS INDENTURE WITNESSETH, that, in consideration of the said *Joseph Monkman* having derived right to the title formerly held by the late *Michel Kilcool* to the possession of the lands hereby demised, and in consideration also of the covenants hereinafter contained on the part of the said *Joseph Monkman*, they, the said Governor and Company do hereby grant, demise, and lease unto the said *Joseph Monkman*, his executors, administrators, and assigns, ALL THAT piece or parcel of land distinguished in the survey of Red River Settlement as No. 142, and therein described, the whole containing one hundred and twenty-five statute acres or thereby, and well known to the said *Joseph Monkman*, with the necessary appurtenances thereto, TO HAVE AND TO HOLD the said piece or parcel of land hereby demised or intended so to be, and every part thereof, with the appurtenances, unto the said *Joseph Monkman*, his executors, administrators, and assigns, from the day next before the day of the date of these presents, and for and during and unto the full term of one thousand years, thence next ensuing; yielding and paying therefore yearly and every year, during the said term, and upon the Michaelmas day in each year, the rent or sum of three peppercorns, the first payment whereof to be made upon the twenty-ninth day of September next ensuing the date hereof. AND the said *Joseph Monkman*, for himself, his heirs, executors, and administrators, doth hereby covenant and agree with the said Governor and Company, in manner following, that is to say, That he the said *Joseph Monkman* shall or will, within forty days from the date hereof, settle and establish himself or themselves and continue to reside upon the said hereby demised land, and shall or will within five years from the date of these presents, bring, or cause or procure to be brought into a state of cultivation one-sixth part of the said hereby demised land, and thenceforth continue the same in such state. AND that he the said *Joseph Monkman*, his executors, administrators, or assigns, shall or will from time to time, and at all times during the said term, contribute in a due proportion to the expense of all public establishments, whether of an ecclesiastical, civil, military, or other nature, including therein the maintenance of the clergy, the building and endowment of schools, which are or shall or may be formed under the authority of the charter or charters hereinbefore referred to. AND also that he or they at proper seasons in every year, and in or towards the making and repairing of such roads and highways as lie within two miles from the said hereby demised premises, shall and will employ himself or themselves, and his or their servants, horses, cattle, carts, and carriages, and other necessary things for that purpose, where and when required so to do by the surveyor or overseer for the time being, appointed for the making and amending public roads, bridges and highways, within such limit as aforesaid; such requisition, nevertheless, in point of time not to exceed six days in each year computed day by day, and from Michaelmas to Michaelmas; and shall or will use his or their endeavours for the benefit and support of the clergyman to whom or whose communion he or they shall belong, by employing himself, or themselves, and his or their servants, horses, cattle, carts and carriages, and other things necessary for the purpose, not exceeding at and after the rate of three days in the spring, and three days in the autumn of each year, and in every other respect, when and whereby the said clergyman shall appoint. AND also that he the said *Joseph Monkman*, his executors, administrators, and assigns, shall not nor will, without the license or consent of the said Governor and Company for that purpose first obtained, carry on or establish, or attempt to carry on or establish in any parts of North America, any trade or traffic in or relating to any kind of skins, furs, or peltry, nor dressed leather, nor in any manner directly or indirectly aid or abet any person or persons in carrying on such trade or traffic; nor shall nor will at any time or times during the said term, distil or cause or procure to be distilled, spirituous liquors of any nature or kind soever, either upon the land hereby demised, or within any other part of the territories belonging to the said Governor and Company in North America. nor during the said term, knowingly suffer or permit any other person or persons whom-

soever;

Appendix, No. 3. soever, to distil any such liquors upon the said demised land, or any part thereof. AND also that he the said *Joseph Monkman*, his executors, administrators, and assigns, shall not nor will at any time export beyond the territories of the said Governor and Company any effects, being the produce of the said land, or acquired by the said *Joseph Monkman*, his executors, administrators, and assigns, within the territories of the said Governor and Company, and intended to be exported by him the said *Joseph Monkman*, his executors, administrators and assigns, other than and except at Port Nelson (one of the ports belonging to the said Company), and in ships or vessels or in a ship or vessel belonging to or in the service of the said Governor and Company to be conveyed to the port of London, and there to be lodged and deposited in some or one of the warehouses belonging to or used for that purpose by the said Governor and Company, and with power to sell and dispose of the same effects on the account of the said *Joseph Monkman*, his executors, administrators, and assigns. AND also shall not nor will import any goods or effects into the territories of the said Governor and Company in North America, or any part thereof, other than and except from the said port of London, and through some or one of the warehouses belonging to or used by the said Governor and Company for the warehousing of goods in the said port of London, and other than and except in a vessel or vessels, ship or ships belonging to the said Governor and Company, or in their service. AND also that he or they shall or will pay and allow to the said Governor and Company in respect of all such produce, goods, and commodities, whether exported or imported, all charges as and for and in the nature of gaugage, wharfage, warehouse-room, and commission for sale, which shall be or constitute the average or ordinary price or prices in similar cases, together with such charge for freightage as shall at the time or respective times be fair and reasonable; and shall and will allow, or pay as in the nature of a custom or duty, any sum not exceeding five pounds, for and upon every one hundred pounds in value or amount of the produce, goods and commodities which shall or may be conveyed to or from Port Nelson from or to the port of London as aforesaid, and so in proportion for a less quantity in value or in amount than one hundred pounds, unless the same kind of produce, goods, and commodities shall be subject to a higher rate of duty on importation at Quebec, and then in cases of importation. That he or they shall and will pay and allow unto the said Governor and Company sums at and after the same rate as shall be paid or payable at Quebec, such value or amount to be from time to time fixed and ascertained in all cases of import by and upon the actual and *bona fide* invoice prices, and in all cases of export by the net proceeds of sales, at London aforesaid. AND the said *Joseph Monkman*, for himself, his heirs, executors, and administrators, doth hereby further covenant with the said Governor and Company, and their successors, that he the said *Joseph Monkman*, his executors, administrators, and assigns, will use his and their best endeavours to maintain the defence and internal peace of the territories of the said Governor and Company in North America, and shall and will be chargeable therewith according to such laws and regulations as are now in force in respect of the same territories, or as shall from time to time be made by competent authority; and also that he the said *Joseph Monkman*, his executors, administrators, or assigns, shall not nor will at any time or times during the said term, or by any direct or indirect, mediate or immediate manner, ways, or means, infringe or violate, or set about or attempt to infringe or violate, or aid, assist, or abet, or set about or attempt to aid, assist, or abet, or supply with spirituous liquors, trading goods, provisions or other necessities, any person or persons whomsoever, corporate or incorporate, or any prince, power, potentate, or state whatsoever, who shall infringe or violate, or who shall set about or attempt to infringe or violate the exclusive rights, powers, privileges, and immunities of commerce, trade, and traffic, or all or any other of the exclusive rights, powers, privileges, and immunities of or belonging or in any wise appertaining to, or held, used, or enjoyed by the said Governor and Company and their successors under their charter or charters, without the license or consent of the said Governor and Company and their successors for the time being first had and obtained. AND LASTLY, that he the said *Joseph Monkman*, his executors, administrators, or assigns, shall not nor will, at any time during the said term, under-let, or assign, or otherwise alienate, or dispose, or part with, the actual possession of the said land hereby demised, or any part thereof, for all or any part of the said term, or any interest derived under the same, without the consent in writing of the said Governor and Company for the time being first had and obtained. AND ALSO that he the said *Joseph Monkman*, his executors, administrators, or assigns, shall or will, within six calendar months from the date hereof, as to these presents, and within six calendar months from the date of each respective assignment or under-lease, to be made under or through these presents; and with respect to each such assignment and under-lease respectively, cause these presents and every such assignment or under-lease, when made, to be registered in the register of the said territories in North America, or of the district in which the said hereby demised land shall be situate, and wherever such register shall be kept at the time. PROVIDED ALWAYS, nevertheless, and it is hereby declared and agreed, that if the said *Joseph Monkman*, his executors, administrators, or assigns, shall not in all things well and truly observe and perform all and every the covenants and agreements herein contained, on his and their behalf to be observed and performed, then, and in either of such cases, and either upon or after the first breach, or any subsequent breach or breaches of covenant, and as to any subsequent breach or breaches, notwithstanding there may have been any waiver or waivers, or supposed waiver or waivers thereof, by the acceptance of rent or otherwise, it shall or may be lawful to and for the said Governor and Company, and their successors or assigns, to enter into and upon the said hereby demised premises, or any part thereof, in the name of the whole thereof, and to have, hold, retain,

retain, and enjoy the same as in their former state, and also to put an end to, and determine the same term of one thousand years, or so much thereof as shall be then unexpired, and all and every person or persons then occupying the same premises, or claiming title thereto, to put out and amove any thing hereinbefore contained to the contrary notwithstanding. IN WITNESS whereof, the said parties to these presents have hereunto set their hands and seals, the day and year first above written.

Appendix, No. 3.

For the Governor and Company aforesaid,

*Dun. Finlayseon*, Governor of Assiniboin. (L. s.)

*Joseph Monkman*. (L. s.)

Signed, sealed, and delivered, in the presence of  
George Taylor, of Red River Settlement, Surveyor,  
and John Black, of the same place, Clerk in the  
service of the said Governor and Company.

*George Taylor*, Witness.

*John Black*, Witness.

#### Appendix, No. 4.

PAPERS furnished by the Rev. G. O. Corbett, and referred to in Question 3773 of his Evidence, 5 March 1857.

EXTRACT from MINUTES of Meeting of the Governor and Council of *Rupert's Land*, held at Red River Settlement, 10 June 1845.

*Resolved*, 1. THAT, once in every year, any British subject, if an actual resident, and not a fur trafficker, may import, whether from London or from St. Peter's, stores free of any duty now about to be imposed, on declaring truly that he has imported them at his own risk.

Appendix, No. 4.

2. That, once in every year, any British subject, if qualified as before, may exempt from duty, as before, imports of the local value of ten pounds, on declaring truly that they are intended exclusively to be used by himself within Red River Settlement, and have been purchased with certain specified productions or manufactures of the aforesaid settlement, exported in the same season or by the latest vessel at his own risk.

3. That, once in every year, any British subject, if qualified as before, who may have personally accompanied both his exports and imports, as defined in the preceding Resolution, may exempt from duty, as before, imports of the local value of 50 £, on declaring truly that they are either to be consumed by himself, or to be sold by himself to actual consumers within the aforesaid settlement, and have been purchased with certain specified productions or manufactures of the settlement, carried away by himself in the same season or by the latest vessel at his own risk.

4. That all other imports from the United Kingdom for the aforesaid settlement, shall, before delivery, pay at York Factory a duty of 20 per cent. on their prime cost, provided, however, that the Governor of the settlement be hereby authorised to exempt from the same all such importers as may, from year to year, be reasonably believed, by him, to have neither trafficked in furs themselves since the 8th day of December 1844, nor enabled others to do so by illegally or improperly supplying them with trading articles of any description.

5. That all other imports from any part of the United States shall pay all duties payable under the provisions of 5 & 6 Vict. c. 49, the imperial statute for regulating the foreign trade of the British possessions in North America; provided, however, that the Governor-in-Chief, or, in his absence, the President of the Council, may so modify the machinery of the said Act of Parliament as to adapt the same to the circumstances of the country.

7. That henceforward no goods shall be delivered at York Factory to any but persons duly licensed to freight the same, such licenses being given only in those cases in which no fur trafficker may have any interest direct or indirect.

8. That any intoxicating drink, if found in a fur trafficker's possession, beyond the limits of the aforesaid settlement, may be seized and destroyed by any person on the spot.

Whereas the intervention of middlemen is alike injurious to the Honourable Company and to the people; it is Resolved,

9. That henceforward furs shall be purchased from none but the actual hunters of the same.

Fort Garry, 10 July 1845.

## SESSION II.

## Appendix, No. 5.

COPY of the LETTER addressed by Mr. Chief Justice *Draper* to Her Majesty's Secretary of State for the Colonies, bearing date 6th May 1857, together with a Copy of the MEMORANDUM therein referred to.

Sir,

33, Spring-gardens, 6 May 1857.

Appendix, No. 5.

IN the last interview with which you favoured me, I took occasion to advert to the question of boundary between Canada and the Hudson's Bay territory, as one which required to be settled as a necessary preliminary to many other very important inquiries involved in the matters submitted to a Committee of the last House of Commons, and, as I understood, to be again submitted to the new Parliament.

I alluded to the difference between the views of the Hudson's Bay Company, as expressed in former times, and those which are now, and have been within the last forty years, advanced by them on this point; and I stated my readiness to submit a memorandum to you in relation thereto, which you were pleased to signify your readiness to receive and consider.

That memorandum I have now the honour to enclose. As the construction of the language of the charter, and the extent of the territory purporting to be granted are involved, it may be considered desirable that the matter should be referred to the Judicial Committee of the Privy Council. In this event, I venture to request, that counsel on the part of the Province may be permitted to attend to watch the argument, and, if it be deemed necessary, that they may be heard in support of those views which more immediately affect the interests of Canada.

I have suggested a reference to the Judicial Committee, because I think its opinion would command the ready acquiescence of the inhabitants of Canada as to their legal rights, and because I believe they entertain a very strong opinion that a considerable portion of the territory occupied or claimed by the Hudson's Bay Company will be found to lie within the proper limits of that Province.

Whether it would be desirable to sever this from the more general question of the legality and validity of the charter, is a matter I should desire to leave for your consideration, but in any event I think it expedient that counsel should be permitted to attend to watch the interests of the Province.

The Right Hon. H. Labouchere,  
&c. &c. &c.

I have, &c.  
(signed) *Wm. H. Draper.*

MEMORANDUM enclosed in Chief Justice *Draper's* Letter of May 6th, to the Secretary of State.

It is not proposed at present to discuss the validity of the charter of the Hudson's Bay Company. A careful perusal of it will suggest many doubts whether it be not altogether void. But assuming that it may be sustainable for every or for any of the purposes for which it was intended, and, for the moment conceding that the indefinite description of the territory purporting to be granted does not vitiate the grant, there is a question as to the limits of that territory in which the province of Canada is deeply interested.

The parts of the charter bearing on this question are as follow:—

1. "All the lands and territories upon the countries, coasts, and confines of the seas, bays, lakes, rivers, creeks, and sounds aforesaid" (stated in a preceding part to be those which lie within the entrance of the straits commonly called Hudson's Straits, in whatsoever latitude such bays, &c., should be), "that are not already actually possessed by or granted to any of our subjects, or possessed by the subjects of any other Christian prince or state, with the fishing of all sorts of fish, whales, sturgeons, and all other royal fishes in the seas, bays, inlets and rivers within the premises; and the fish therein taken, together with the royalty of the sea upon the coasts within the limits aforesaid, and all mines royal, as well discovered as not discovered, of gold, silver, gems, and precious stones, to be found or discovered within the territories, limits, and places aforesaid; and that the said land be from henceforth reckoned and reputed as one of our plantations or colonies in America, called Rupert's Land: And, further, we do by these presents, for us, our heirs and successors, make, create, and constitute the said Governor and Company for the time being, and their successors, the true and absolute lords and proprietors of the same territory, limits, and places aforesaid, and of all other the premises hereby granted as aforesaid, with their and every

every of their rights, members, jurisdictions, prerogatives, royalties, and appurtenances whatsoever, to them the said Governor and Company, and their successors for ever, to be holden of us, our heirs and successors, as of our manor of East Greenwich, in our county of Kent, in free and common socage."

And, 2. "And furthermore, we do grant unto the said Governor and Company and their successors, that they and their successors, and their factors, servants, and agents, for them and on their behalf, and not otherwise, shall for ever hereafter have, use, and enjoy, not only the whole, entire, and only trade and traffic, and the whole, entire, and only liberty, use, and privilege of trading and trafficking to and from the territory, limits, and places aforesaid, but also the whole and entire trade and traffic to and from all havens, bays, creeks, rivers, lakes, and seas into which they shall find entrance or passage, by water or land, out of the territories, limits or places aforesaid, and to and with all the natives and people inhabiting within the territories, limits, and places aforesaid, and to and with all other nations inhabiting any of the coasts adjacent to the said territories, limits, and places which are not granted to any of our subjects."

Prior to this charter, there was little or nothing done within Hudson's Bay in the way of taking any actual possession of the territory granted. The bay had been discovered, several ships from time to time had entered it, and probably some interchange of commodities with the Indians had taken place while the vessels remained within the straits; but nothing whatever was known of the interior. Charles the Second claimed, for it was no more than a claim, all the territory which the discovery of the straits and bay could confer on the British Crown. The French Crown in like manner had claimed, by reason of their actual settlement of Canada, and of their progressive discoveries and trade, not only all the western territory, including that now in dispute, but even the bay of the north, and thence to the Pole; but neither French nor English had, in 1670, actually penetrated, so far as appears, within many hundred miles of the Red River.

The settlements made by the Hudson's Bay Company were at first confined to those on the shores of James Bay, and at the Churchill and Hayes Rivers. Henley House, which is about 150 miles up the Albany River, was not erected before the year 1740. The Company afterwards erected Fort Nelson, which is laid down on the maps at about 200 or 230 miles from the mouth of Churchill River, and the fort at Split Lake, which is represented as about 140 miles from the mouth of the Nelson River. It is believed that these two last-named forts are of comparatively modern erection, but that, at all events, for more than a century after the date of the charter, these, together with the forts on or near the shores of the bays, were the only settled posts of the Hudson's Bay Company.

This throws some light upon the view, which the Company practically adopted, of the extent of their territories.

In many written documents they treat Hudson's Straits and Bay as the governing and principal matter, in reference to or for the purpose of securing which, the grant of territory was made to them.

In a petition addressed by the Hudson's Bay Company to Charles the Second in 1682, they say that his Majesty was graciously pleased to incorporate them, and to grant to them for ever all the said bay, and the straits leading thereunto, called Hudson's Straits, with all the lands and territories, rivers, and islands in and about the said bay, and the sole trade and commerce there; and, referring to a letter of Monsieur De la Barre, the Governor of Canada, threatening to drive them out, they observe, they doubt not but that by the King's Royal authority and protection, they will be enabled to defend his undoubted right and their own within the bay, "wherein never any nation but the subjects of your Imperial Crown has made discoveries or had any commerce."

In a letter, dated 25 January 1796-7, they urge, "whenever there be a treaty of peace between the Crowns of England and France, that the French may not travel or drive any trade beyond the midway betwixt Canada and Albany Fort, which we reckon to be within the bounds of our charter."

In 1698, in a letter written by their deputy-governor to the Lords Commissioners of Trade, they repeat the same desire.

In a memorial, dated in June 1699, they represent the charter as constituting them the true and absolute proprietors of Hudson's Bay, and of all the territories, limits, and places thereto belonging. They further set forth the attacks made in 1682 and 1686 by the French from Canada, and their applications for redress, and the declaration made by James the Second that he, upon the whole matter, did conceive the said Company well founded in their demands, and therefore did insist upon his own right and the right of his subjects to the whole Bay and Straits of Hudson, and to the sole trade thereof; and they pray the then King, William the Third, to insist upon the inherent right of the Crown of England and the property of his subjects not to be alienated, that so considerable a trade might not be lost, and the Hudson's Bay Company "be left the only mourners" in the peace of Ryswick.

At this time all their forts but one (Albany Fort) had been taken by the French; some of them, indeed, while the two Crowns were at peace; an act of aggression specially referred to by his Majesty in the declaration of war in 1689.

In January 1700, being called upon by the Lords of Trade and Plantations, they offered proposals for limits between them and the French in Hudson's Bay, insisting at the same time upon their undoubted right "to the whole Bay and Streights of Hudson." The proposed limits were, to confine the French from trading or building any house, factory, or fort to the northward of Albany River situate in about 53° of north latitude on the west main



coast, or to the northward of Rupert's River, on the east main or coast of the bay, binding themselves not to trade or build any house, factory, or fort to the southward of these two rivers "on any ground belonging to the Hudson's Bay Company." They urged that these limits should be settled; stating, that if the French refused, they must insist upon their prior and undoubted right to the whole Bay and Straits of Hudson, which, they observed, the French never yet would strictly dispute or suffer to be examined into, though the first step of the eighth article of the treaty of Ryswick directs the doing of it. These limits would have given the French access to the bay by the Moose River.

The French ambassador did, however, in March 1698-9, set forth the claims of his sovereign in a long answer to the English memorial, among other things, observing that the different authors who have written about Canada or New France, gave it no limits northwards, and that it appeared by all the grants or letters of corporation made at several times by the kings of France to the companies settled in New France, and particularly in 1628, that all the Bay of the North is comprehended in the limits mentioned by the said grants.

He also further suggested, that if the English had had any knowledge of the bay, or any claim thereto, they would not have failed to have insisted on it, and expressly to mention it in the treaty of 1632 (that of St. Germain en Laye), when they restored to the French New France. Admitting that the French neither then nor for a long time afterwards had any forts on the coasts of the bay, he explains it by saying, that being masters of the inland country, the savages, with whom they had a continual trade, brought their furs over lakes and rivers.

In April 1714, the Hudson's Bay Company thank the Queen "for the great care your Majesty has taken for them by the treaty of Utrecht, whereby the French are obliged to restore the whole Bay and Straights of Hudson; the undoubted right of the Crown of Great Britain."

In August 1714, in reference to the same treaty, the Hudson's Bay Company proposed that the limits between the English and French on the coast of Labrador, should commence from the island, called Grimmington's Island or Cape Perdrix, in the latitude of  $58\frac{1}{2}^{\circ}$  N., which they desire may be the boundary between the French and English on the coast of Labrador; and that a line be drawn south-westerly, to pass through the centre of Lake Missassinie; and from that lake a line to run south-westward into  $49^{\circ}$  north latitude; and that such latitude be the limit, that the French do not come to the north, nor the English to the south of it.

In another paper of about the same period, they give the following account of the motives which induced the formation of the Company, "It was, therefore, after the happy restoration of King Charles II. that trade and commerce began to revive, and in particular that some noblemen and other public-spirited Englishmen, not unmindful of the discovery and right of the Crown to those parts in America, designed at their own charge to adventure the establishing of a regular and constant trade to Hudson's Bay, and to settle forts and factories there, whereby to invite the Indian nations (who lived like savages many hundred leagues up in the country) down to their factories."

In August 1719 the Hudson's Bay Company acknowledges the surrender by the French of the straits and bay, in such manner that they had nothing to object or desire further on that head. But they urged the settlement of the limits between the English and French territories without delay, since the French subsequently to the conclusion of the peace (in 1715) made a settlement at the head of Albany River, upon which the Company's principal factory was settled, whereby they interrupted the Indian trade from coming to the Company's factories. It was therefore proposed and desired, "that a boundary or dividend line may be drawn so as to exclude the French from coming anywhere to the northward of the latitude of  $49^{\circ}$ , except on the coast of Labrador; unless this be done, the Company's factories at the bottom of Hudson's Bay cannot be secure, or their trade preserved."

In all the foregoing documents it will be observed, that whether upon the peace of Ryswick, when English affairs looked gloomy and those of France were in the ascendant, or after the treaty of Utrecht, when the power of France was broken, the Hudson's Bay Company sought to have the boundary between the territories they claimed and those forming part of Canada, settled by some defined and positive line which was to be the result of negotiation, not then pretending that there was anything in their charter which gave them a rule by which they could insist that the extent of their territories to the southward should be ascertained.

Even in October 1750, they entertained the same views, while at that time they were pushing their pretensions, both to the northward and westward, to the utmost limits. They state that the limits of the lands and countries lying round the bay, comprised, as they conceived, within their grant, were as follow: All the land lying on the east side or coast of the said bay, eastward to the Atlantic Ocean and Davis' Straits, and the line hereafter mentioned

\* L'Escarbot describes Canada at the period of the appointment of De la Roche in 1598, thus—"Ainsi notre Nouvelle France a pour limites du côté d'ouest les terres jusqu'à la Mer Pacifique au delà du Tropique du Cancer, au midi les îles de la Mer Atlantique du côté de Cuba et l'île Espagnole au levant la Mer du Nord qui baigne la Nouvelle France; et au septentrion cette terre qui est dite inconnue vers la Mer Glacée jusqu'à la Pole Arctique."

mentioned as the east and south-eastward boundaries of the said Company's territories, and towards the north, all the lands that lie on "the north end, or on the north side, or coast, of the said bay, and extending from the bay northwards to the utmost limits of the lands there towards the North Pole; but where or how these lands terminate, is at present unknown. And towards the west, all the lands that lie on the west side or coast of the said bay, and extending from the bay westward to the utmost limits of those lands, but where or how those lands terminate to the westward is also unknown, though probably it will be found they terminate on the Great South Sea. And towards the south, all the lands that lie on the south end, or south side of the coast of the said bay, the extent of which lands to the south to be limited and divided from the places appertaining to the French in those parts by a line," &c., describing the line from Cape Perdrix to the 49th parallel, and along that parallel westward, as in their proposals of August 1719, excepting that they state the starting point to be in latitude  $59\frac{1}{2}$  N. They add, with regard to this boundary, that "to avoid as much as possible, any just grounds for differing with the French in agreeing on those boundaries which lie nearest their settlements, it is laid down so as to leave the French in possession of as much, or more land than they can make any just pretensions to; and at the same time leaves your memorialists but a very small district of land from the south end of the said bay necessary for a frontier." It is worthy of remark, that this line would have given to France the southerly portion of the Lake of the Woods, Rainy River, and Rainy Lake, which are now claimed as within the Company's territories.

The foregoing extracts are deemed sufficient to establish that the Company considered their territorial rights in reference to their connexion with and proximity to Hudson's Bay itself, where they had planted their factories and desired to attract the Indian trade. They certainly show that neither, after the treaty of Ryswick, nor that of Utrecht, when they stated the boundaries, they were either willing to submit to or were desirous of obtaining; nor yet in 1750, when they set forth what they thought themselves entitled to claim under their charter, did they ever think of asserting a right to all the countries the waters of which flow into Hudson's Bay. Their claims to lands lying both northward and westward of the bay are entirely at variance with any such idea. Sir J. Pelly, before a Committee of the House of Commons in March 1837, seems to have adhered to the views expressed in 1750, when he said, "the power of the Company extends all the way from the boundaries of Upper and Lower Canada, away to the North Pole, as far as the land goes, and from the Labrador coast all the way to the Pacific Ocean," though he afterwards explains that the Company claimed in fee-simple all the lands the waters from which ran into Hudson's Bay.

It is submitted, that if this latter claim were well founded, the further grant in the charter of exclusive trade beyond the limits of the territories granted in fee-simple, would give colour to the assertion of the "power" of the Company extending to the Pacific; assuming that the word "power" was used to designate the exclusive right of trade, and not the ownership of the territory. For if the charter gives the fee-simple of the lands to the Rocky Mountains, the Pacific is a "Sea," and Fraser's and M'Kenzie's are "rivers," into which "entry or passage by water or land out of the territories" actually granted may be found; though in such case the application for a licence for the exclusive trade would, if the charter be in this respect valid, have been unnecessary.

The French Government, it appears, would not agree to the proposal which would have limited them to the 49th parallel. Colonel Bladen, one of the British Commissioners under the Treaty of Utrecht, wrote from Paris in 1719 in reference thereto, "I already see some difficulty in the execution of this affair, there being at least the difference of two degrees between the best French maps and that which the Company delivered us." No settlement of the boundary could be arrived at.

If the later claim of territorial limits had been advanced during this negotiation, there can be no doubt it would have been resisted even more strenuously than the effort to make the 49th parallel the boundary was, not merely by contending that the territory so claimed formed part of Canada, and had been treated as such by the French long before 1670, but also that the French king had exercised an act of disposition of them, of the same nature as that under which the Hudson's Bay Company claim, by making them the subject of a charter to a company under the Sieur de Caen's name, and after the dissolution of that company had, in 1627, organised a new company, to which he conceded the entire country called Canada. And this was before the Treaty of St. Germain en Laye, by which the English restored Canada to the French. In 1663 this company surrendered their charter, and the king, by an edict of March in that year, established a council for the administration of affairs in the colony, and nominated a governor; and, about 1665, Monsieur Talon, the intendant of Canada, despatched parties to penetrate into and explore the country to the west and north-west, and in 1671 he reported from Quebec that the "Sieur de Lussan is returned, after having advanced as far as 500 leagues from here, and planted the cross, and set up the king's arms, in presence of 17 Indian nations assembled on the occasion from all parts, all of whom voluntarily submitted themselves to the dominion of his Majesty, whom alone they regard as their sovereign protector."

The French kept continually advancing forts and trading posts in the country, which they claimed to be part of Canada; not merely up the Saguenay River towards James

## Appendix, No. 5.

Bay, but towards and into the territory now in question; in parts and places to which the Hudson's Bay Company had not penetrated when Canada was ceded to Great Britain in 1763, nor for many years afterwards. They had posts at Lake St. Anne, called by the older geographers Alenimipigou; at the Lake of the Woods; Lake Winnipeg, and two, it is believed, on the Saskatchewan, which are referred to by Sir Alexander M<sup>c</sup>Kenzie in his account of his discoveries.

Enough, it is hoped, has been stated to show that the limits of the Hudson's Bay Company's territory are as open to question now as they have ever been, and that when called upon to define them in the last century, they did not advance the claim now set up by them; and that even when they were defining the boundary which they desired to obtain under the Treaty of Utrecht, at a period most favourable for them, they designated one inconsistent with their present pretensions, and which, if it had been accepted by France, would have left no trifling portion of the territory as part of the province of Canada.

So far as has been ascertained, the claim to all the country the waters of which ran into Hudson's Bay, was not advanced until the time that the Company took the opinions of the late Sir Samuel Romilly, Messrs. Cruise, Holroyd, Scarlett, and Bell. Without presuming in the slightest degree to question the high authority of the eminent men above-named, it may be observed that Sir Arther Pigott, Serjeant Spankie, Sir Vicary Gibbs, Mr. Bearcroft, and Mr. (now Lord) Brougham took a widely different view of the legal validity of the charter, as well as regards the indefinite nature of the territorial grant, as in other important particulars.

Of the very serious bearing of this question on the interests of Canada, there can be no doubt. By the Act of 1774, the province of Quebec is to "extend westward to the banks of the Mississippi, and northward to the southern boundary of the territory granted to the merchants adventurers of England trading to Hudson's Bay."

And in the division of the Provinces under the statute of 1791, the line was declared to run due north from Lake Temiscamary "to the boundary line of Hudson's Bay;" and the Upper Province is declared to consist "of or include all that part of Canada lying to the westward and southward of the said line."

The union of the Provinces has given to Canada the boundaries which the two separate Provinces of Upper and Lower Canada had; the northern boundary being the territory granted to the Hudson's Bay Company.

It is now becoming of infinite importance to the Province of Canada, to know accurately where that boundary is. Plans for internal communication connected with schemes for agricultural settlements, and for opening new fields for commercial enterprise, are all, more or less, dependent upon or affected by this question; and it is to Her Majesty's Government alone that the people of Canada can look for a solution of it. The rights of the Hudson's Bay Company, whatever they may be, are derived from the Crown; the Province of Canada has its boundaries assigned by the same authority; and now that it appears to be indispensable that those boundaries should be settled, and the true limits of Canada ascertained, it is to Her Majesty's Government that the Province appeals to take such steps as in its wisdom are deemed fitting or necessary, to have this important question set at rest.

## Appendix, No. 6.

## Appendix, No. 6.

PAPER delivered in by Mr. Chief Justice *Draper*, 28 May 1857, relative to  
CANADIAN BOUNDARIES.

## BOUNDARIES.

On 25th January 1696-7, not long before the Treaty of Ryswick (which was signed on the 20th September 1697), the Hudson Bay's Company expressed their "desire that whenever there should be a treaty of peace between the Crowns of England and France, that the French may not travel or give any trade beyond the midway betwixt Canada and Albany Fort, which we reckon to be within the bounds of our charter."

The 8th Article of the Treaty of Ryswick shows that the French, at that time, set up a claim of right to Hudson's Bay, though that claim was abandoned at the peace of Utrecht, and was never set up afterwards.

In

\* In the evidence given by the honourable Wm. M<sup>c</sup>Gillivray, on one of the North-west trials at York (now Toronto), in 1818, he stated that there were no Hudson's Bay traders established in the Indian country about lake Winnipeg or the Red River, for eight or nine years after he had been used (as a partner in the North-west Company) to trade in that country.

In 1697, James the Second declared to the French Commissioners MM. Barillon and Bonrepos, that having maturely considered his own right, and the right of his subjects, to the whole Bay and Straits of Hudson, and having been also informed of the reasons alleged on the part of the French to justify their late proceedings in seizing these forts (Fort Nelson and Fort Charles), which for many years past have been possessed by the English, and in committing several other acts of hostility, to the very great damage of the English Company of Hudson's Bay, his Majesty, upon the whole matter, did consider the said Company well founded in their demands, and, therefore, did insist upon his own right, and the right of his subjects, to the whole Bay and Straits of Hudson, and to the sole trade thereof.

"The grants of the French king signify nothing to another prince his right, and they may name what they will in their grants places, known or unknown, but nobody is so weak as to think that anything passeth by those grants but what the king is rightfully and truly possessed of or entitled to, for, *nemo dat quod non habet*, is a maxim understood of all; but whereas the French would have no bounds to Canada to the northward, nor, indeed, to any parts of their dominions in the world if they could."—Extract from the Reply of the Hudson's Bay Company to the French Answer left with the English Commissioners, 5th June 1699, under Treaty of Ryswick.

In 1687 there were discussions between the English and French, respecting the right to the bay and straits, in which it was, among other things, submitted on the part of the Hudson's Bay Company as follows:—"It shall not be the fault of the Company of Hudson's Bay, if their agents and those of the Company of Canada do not keep within their respective bounds, the one pretending only to the trade of the bay and straits above-mentioned, whilst the other keeps to that of Canada; and that the forts, habitations, factories, and establishments of the English Company be restored, and their limits made good, as the first discoverers, possessors, and traders thither."

The Company having already waived the establishments of a right to Hudson's Bay and Straits "from the mere grant and concessions of the king, which, indeed, cannot operate to the prejudice of others that have the right of discovery and continued possession on their side, it is again averred that his Majesty's subjects only are possessed of such a right to the coasts, bays, and straits of Hudson."

"The Hudson's Bay Company having made out his Majesty's right and title to all the bay within Hudson's Straits, with the rivers, lakes, and creeks therein, and the lands and territories thereto adjoining, in which is comprehended Port Nelson as part of the whole." 10 July 1700. The Hudson's Bay Company proposed the following limits between themselves and the French, in case of an exchange of places, and that they cannot obtain the whole of the straits and bay which of right belongs to them.

1. That the French be limited not to trade or build any factory, &c. beyond the bounds of 53° N. or Albany River, to the northward on the west or main coast, and beyond Rupert's River to the northward on the east main coast.

2. The English shall be obliged not to trade nor build any factory, &c. beyond the aforesaid latitude of 53° or Albany River, or beyond Rupert's River, south-east towards Canada, on any land which belongs to the Hudson's Bay Company.

3. As likewise that neither the French nor English shall at any time hereafter extend their bounds contrary to the aforesaid limitations . . . which the French may very reasonably comply with, for that they by such limitations will have all the country south-eastward, betwixt Albany Fort and Canada, to themselves, which is not only the best and most fertile part, but also a much larger tract of land than can be supposed to lie to the northward, and the Company deprived of that which was always their undoubted right.

By this document it appears the French were insisting on having the limits settled between York and Albany Fort, as in the latitude of 53 degrees or thereabouts.

22 January 1701-2. The Lords of Trade and Plantations asked the Company to say "whether, in case the French cannot be prevailed with to consent to the settlement proposed on the 10th July preceding by the Company, they will not consent that the limits on the east side of the bay to the latitude of 52½ degrees." This proposal would have given the East Main River and Rupert's River to Canada.

On the 29th January, the Hudson's Bay Company alter their proposals, offering the boundary on the east main, or coast, to be Hudson's River, vulgarly called Canute, or Canuse River (which I take to be the river now marked on the maps as the East Main River); but, they add, should the French refuse the limits now proposed by the Company, the Company think themselves not bound by this or any former concessions of the like nature, but must (as they have always done) insist upon their prior and undoubted right to the whole Bay and Straits of Hudson, which the French never yet would strictly dispute, or suffer to be examined into (as knowing the weakness of their claim), though the first step in the 8th Article of the Treaty of Ryswick, directs the doing of it. If either proposal had been accepted, the French would have had access to James' Bay. The first propositions left them the Moose River; the second appears to have given up Rupert's River.

## Appendix, No. 6.

In February 1711-12, prior to the Treaty of Utrecht, the Hudson's Bay Company proposed, that the limits between them and the French in Canada, should begin "at Gremington's Island or Cape Perdrix, in the latitude of  $58\frac{1}{2}^{\circ}$  north, which they desire may be the boundary between the English and French, on the coast of Labrador, towards Rupert's Land on the East Main and Nova Britannica on the French River." That a line be drawn from Cape Perdrix to the Great Lake Mistassing, dividing the same into two parts, beyond which line the French were not to pass to the north, nor the English to the South.

In August 1714, they renewed their application for the settlement of the limits, adding to their former proposition, that from the Lake Mistassing a line should run south-westward into  $49^{\circ}$  north latitude, and that such latitude be the limit, and that the French do not come to the north, or the English to the south of this boundary.

In August 1719, in a memorial, they say, that "the surrender of the straits and bay aforesaid has been made according to the tenor of the treaty, at least in such manner that the Company acquiesced therein, and have nothing to object or desire further on that head." But they even then, complained that, since the conclusion of the peace, viz., in 1715, the French had made a settlement at the head of Albany River, "upon which very river our principal factory is settled, whereby they intercept the Indian trade from coming to the Company's factories; and will, in time, utterly ruin the trade, if not prevented. It is, therefore, proposed and desired, that a boundary or dividend line may be drawn so as exclude the French from coming any where to the northward of the latitude of  $49^{\circ}$ , except on the coast of Labrador; unless this is done, the Company's factories at the bottom of Hudson's Bay cannot be secure, or their trade preserved." This shows that the Company there sought to establish an arbitrary boundary, and that the object of it was, to secure the fur trade from the French.

The English Commissioners made the demand to have limits established according to the prayer of the Hudson's Bay Company, and for the giving up the new fort erected by the French; adding a demand that the French should make no establishments on any of the rivers which discharged themselves into Hudson's Bay; and that the entire course of the navigation of these rivers should be left free to the Company, and to such of the Indians as desired to trade with them.

The precise terms of the instructions to the Commissioners hardly seem to have contemplated the latter part of the demand, for they (the instructions of 3d September 1719) merely designate the boundaries, beyond which the French and English respectively are not to cross. They contain this passage however: "But you are to take especial care in wording such articles as shall be agreed upon with the Commissioners of his Most Christian Majesty upon this head; that the said boundaries be understood to regard the trade of the Hudson's Bay Company only."

Colonel Bladen, on the 7th November 1719, wrote to the Lords of Trade that the English Commissioners would that day deliver in the demand, and that he foresaw "some difficulty in the execution of this affair, there being at least the difference of two degrees between the best French maps and that which the Company delivered us, as your Lordship will perceive by the carte I send you herewith."

Colonel Bladen was right. After receiving the English demands, the French Commissioners, the Marechal d'Estrees and the Abbé Dubois, never met the English Commissioners again, and all the instances of the English Ambassadors failed to procure a renewal of the conferences.

The Company were again called upon on the 25th July 1750, to lay before the Lords of Trade, an account of the limits and boundaries of the territory granted to them. They replied, among other things, that the said straits and bay "are now so well known, that it is apprehended they stand in no need of any particular description than by the chart or map herewith delivered, and the limits or boundaries of the lands and countries lying round the same, comprised, as your memorialists, conceive in the said grant, are as follows: that "is to say, all the lands lying on the east side or coast of the said bay, and extending from the bay eastward to the Atlantic Ocean and Davis' Strait, and the line hereafter mentioned as the east and south-eastern boundaries of the said Company's territories; and towards the north all the lands that lie at the north end, or on the north side or coast of the said bay, and extending from the bay northwards to the utmost limits of the lands then towards the North Pole; but where or how these lands terminate is hitherto unknown. And towards the west, all the lands that lie on the west side or coast of the said bay, and extending from the said bay westward to the utmost limits of those lands; but where or how these lands terminate to the westward is also unknown, though probably it will be found they terminate on the Great South Sea and towards the south," they propose the line already set out by them; before and soon after the Treaty of Utrecht, stating that the Commissioners under that treaty were never able to bring the settlement of the said limits to a final conclusion; but they urged that the limits of the territories granted to them, and of the places appertaining to the French, should be settled upon the footing above mentioned.

## Appendix, No. 7.

## STATISTICS OF THE RED RIVER COLONY.

To the Honourable *Philip Vanhoushnet*, President of the Executive Council, &c.,  
*Toronto, Canada.*

Appendix, No. 7.

Sir,

Red River Settlement, 6 March 1857.

BEING requested by Captain William Kennedy to communicate to you some information respecting the climate, soil, and productions of this colony, I take up my pen with much pleasure to comply with his request, and at the same time to gratify your laudable desire of gaining some knowledge of this place, which has hitherto been hidden as with primeval darkness from the eye of the civilized world. We are happy in seeing this darkness, to some extent, giving way before the light thrown on this country, on its inhabitants, and their condition, by many eloquent, patriotic, and philanthropic gentlemen in Canada who have taken up the subject, and who have so ably and perseveringly advocated freedom's cause against despotism.

The Red River takes its rise from three different heads, all within the limits of the United States: the western source is Lake Travers: to the east of it is Otter Tail Lake, which is the principal source. Its waters, on being discharged from the lake, flow for some distance in a south-westerly direction, after which it turns to the north-west, and joins the stream from Lake Travers; then in a northerly direction, and becomes navigable for boats of considerable burden. The third source is Red Lake, which sends its tributary waters to swell up the volume of the Red River, which flows nearly due north through one of the richest alluvial valleys in this part of the world, and which falls, after flowing 400 miles, into Lake Winnipeg. The Winnipeg River from the south-east, the Red River from the south, the mighty and majestic Saskatchewan from the west, with a multitude of streams of lesser form, seem, on their coming into contact with the great primitive formation, which commences at 65° west longitude, and forms a girdle round Hudson's Bay, and at some distance from it, till it ends at Dease and Simpson's Strait on the Arctic Sea, to have agreed on forming for themselves a bed in the eastern part of the great western limestone formation, which, I think, belongs to the older calcareous strata. The eastern shore of this great sheet of water is bound in its whole length by granite gneiss and trap rocks, a continuation of the Lake Superior formation, and probably containing similar mineral treasures. The western side is bounded by limestone, rising in many places to the height of 20 or 30 feet. At the Grand Rapids there is a section, about 60 feet deep, covered with a thin layer of earth. This immense bed of limestone extends many hundred miles to the west, and probably joins the coal beds stretching from the foot of the rocky mountains towards the east.

The Red River colony is placed on the limestone formation, which crops out at the distance of 30 miles from the lake, and, on ascending the river, is to be seen over a distance of 10 miles. This stone is excellent for building, and takes a very fine polish when dressed. Churches and dwellings have been built with it, and it is apparently hardening in the air. This limestone makes its appearance on hills on each side of the river, and at some distance from it.

The soil of the Red River is composed of the debris of granite and of limestone, with a large proportion of decayed vegetable matter. This soil is from 12 to 18 inches deep; under it is a thick bed of tenacious clay, of a bluish colour, and nearly impervious to water. The west side of the river may be called prairie land, the east side are wooded lands. The woods consist of oak, elm, ash, bass or white wood, maple, birch, Scotch firs, pine, cedar, tamarac, spruce, and poplar. Our soil is extremely fertile, and, when well cultivated, yields large crops of the finest wheat, weighing from 64 lbs. to 70 lbs. per imperial bushel. The yield per acre is often as high as 60 bushels, and has occasionally been known to exceed that; and, when the average returns fall below 40 bushels to the acre, we are ready to complain of small returns. Some patches have been known to produce 20 successive crops of wheat, and that without fallow or manure; but in general we exact no more than four or five successive crops of wheat; then we put in one of barley, and then fallow for one year.

These successive crops do not exhaust the soil; but weeds overcome all our efforts to keep them down, and therefore we are obliged to have recourse to the plough to destroy them. Barley grows well here if the ground be not too rich, or the season too wet, when it throws up too much straw, lies down, and does not mat. Barley weighs from 48 lbs. to 55 lbs. per imperial bushel. Oats thrive well, and give good returns. Maize, potatoes, beet-root,

Appendix, No. 7. beet-root, onions, carrots, and turnips, are cultivated, and give profitable returns. The soil of this colony is admirable for growing hemp and flax. Horn cattle thrive well, and, although very indifferently taken care of by many, are subject to no diseases. Horses are abundant, and prosper here as well as in any other country, after roaming at large, summer and winter, through the woods, where they keep in good condition. Many of the wandering Indians have horses, which they work very hard, and which are turned off to seek for their food in the snow, with no other attention from their masters till they require their services again.

Our climate and soil seem to be peculiarly adapted for or favourable to sheep. There are 28 years since their introduction into this settlement, and I have never seen nor heard of any sickness attacking them. When well fed, ewes produce fleeces weighing from 2 lbs. to 3½ lbs.; wethers produce fleeces much heavier; the wool is of good quality, though not very fine. Next, we shall take notice of our population. We shall, for distinctions sake, take Upper Fort Garry to be the centre of the colony. The Canadians and their offspring occupy on each side of the Red River a distance of 15 or 20 miles above Upper Fort Garry, and also on the Assiniboine River; they compose one-half of our population, which amounts altogether to 6,300 or 6,400; which will make the Canadian part of our people a trifle above 3,000. The other half are Europeans and their descendants, with from 400 to 500 Christian Indians inhabiting the lower part of the settlement.

The value of property in the settlement, that is, of houses, barns, stables, stores, agricultural implements, boats, canoes, water-mills, windmills, thrashing-mills, horn cattle, and sheep, has been estimated last May at 111,000*l*. We have not considered the Assiniboine as a branch of the Red River, as it joins it within 50 miles of Lake Winnipeg; yet it is more interesting to the people of this place than any of the sources which I have mentioned, as it is altogether within the limits of British North America. One of its affluents, the Mouse River, takes its rise near the great bend of the Missouri, and falls into the Assiniboine, about 200 miles above its junction with the Red River. This river is well wooded on both sides, and it is reported that coal is found along its banks, and in the banks of many of its tributaries, at the distance of 200 or 300 miles from here, spots where civilization is beginning to take root.

Eighty miles above Fort Garry, on the Assiniboine, at Portage du Prairie, there is a settlement, of half-breeds, about 120 souls, not included in our census. On Lake St. Martin there are a few half-breeds and Indians; at Rossville, below Lake Winnipeg, a few Christian Indians; and at Holy Lake, a few Christian Indians. Both these latter stations are Wesleyan. They have one station on the Saskatchewan, and one on the Red Deer's Lake. The Episcopalians have a station on the Saskatchewan, and one at Lake la Rouge. The Catholics have several stations to the north, but I think they are not locating the Indians; but on the Saskatchewan they have a settlement of Canadians and half-breeds. By this you will see that the seeds of civilisation are taking root, although the sprouts are but feeble and sickly. A few Canadians and Canadian half-breeds, dissatisfied with the state of things in Red River, went across the line, and settled at Pembina, and I fear others will follow their example when the Indian claim shall have been done away with, and when towns are built on the Upper Red River. This colony was commenced by the late Thomas, Earl of Selkirk, in 1812. I cannot give you the number of immigrants brought to the colony; 1813 brought an addition to the first band; 1815 saw a few more leave the bleak hills of Sutherland, and arrive on the fertile plains of the far west. These were the last band from Scotland.

The North-west Company had an evil eye at the introduction of a civilized community into the heart of the Indian country, and doubly so because it was planted directly across their path, and on the very plains from which they drew their supplies of provisions in the shape of pemmican for their voyages from Fort William to the north, and back again. This politic and keen-sighted company argued that the colony would destroy the fur trade, and they were determined to use all their power to destroy the colony. With this intention, they took many of the settlers to Canada, chiefly those who came here in 1812-13. Those who survive of the residue left, and their descendants, amount nearly to 500 souls. The rest of our population are chiefly, on one side, descended from the aborigines.

When the settlement was commenced, land was sold at 5*s*. sterling per acre; in 1829 the price was raised to 7*s*. 6*d*., then to 10*s*. 6*d*.; and in 1833 and 1834 it was sold for 12*s*. 6*d*. per acre. This increase in the price of land took place while every article which the land produced was put down to one-third the price given for articles of the same kind, when land was selling at 5*s*.

This order of things created a bad feeling, which threatened the peace of the colony, or perhaps even the safety of those who were raising the price of land to such a height as would effectually prevent the poor settling in the place. Fear made the rulers of the land to pause on the brink of the precipice to which they had been hastening. The price of land was reduced to 7*s*. 6*d*., and it has stood at that price since.

Servants leaving the Company's service, and desirous of coming to the colony, must pay for 50 acres of land each before any of them are permitted to come here; and if he cannot pay

pay the cash, he must go to Europe, or remain in the service till he saves money enough to pay for land.

Appendix, No. 7.

**Price of Farm Produce.**—In 1829 the Company reduced the price of produce to what suited its own interest. The helpless agriculturist had no other market; the magic in the word "charter" kept out all competitors. In the above-mentioned year it was resolved by the Governor and Council that 3s. 6d. per bushel should be the legal price for wheat; 1½d. for good beef per lb., 7d. for butter, &c.; and now these prices were very low; but there was still a greater evil than low price, and that was a limited market. From 1829 to 1845 the Company bought annually from an owner and occupier of a lot of land eight bushels of wheat at 3s. 6d. per bushel; and if he had been suspected of infringing any of the Company's privileges, there was no market for him. Four bushels of wheat was taken each year, in those days, from a buffalo hunter, and the same quantity from a trip man. The clergy would not take the beef at 1½d. per lb.; they gave 2d. per lb., and others followed their example. These few years past the Company has taken larger quantities, ex. gr. last year 30 bushels were taken from all who chose to give so much; and if any individual giving in wheat was in arrears for land, one-fifth the quantity given in by him was taken for land, and he was paid over the value of ⅓ths. The price of goods sold at the Company's stores in the settlement varies from 100 to 400 per cent. on prime cost. We pay 4 per cent. import duty on all goods imported into the settlement. This money is expended in paying the police, in making and repairing bridges and roads in the settlement. We keep up a gaol, pay a gaoler and a governor of the gaol, and a functionary called secretary to the governor, or governor's secretary. We have a governor and council, which are all nominated by the Hudson's Bay Company; for by the charter they say we have nothing to say. Up to 1849 the governor and council ruled with a hard and heavy hand; but that year they received a lesson from an armed multitude, which taught them that there were other things more potent than the charter, and ever since they have been as harmless as doves.

I cannot form a correct estimate of our trade with Minnesota. I believe that 300 carts went in June, and I think we may value the loads of these carts on their return at an average of from 25 £ to 30 £ sterling. We may admit that one-ninth of this amount is paid for by cattle taken over; the remaining eight-ninths are paid for in furs and bills of exchange. During the whole summer some of our people are on the road taking cattle from here, and bringing goods in return. A few Americans are this winter selling goods and buying peltries in this settlement. If Canada does not push forward, and preoccupy the ground, the Americans will. Many of our young men go for employment to Minnesota, and pass the winter in the prairies; they are much esteemed as dextrous axe-men, and able industrious servants. In the spring these generally return with the fruit of their labour in goods, and speak highly of Yankee kindness. This intercourse creates a strong American tendency in the minds of our young people, which, unless diverted, will lead to a more intimate and extensive intercourse.

**The Country to west of Red River.**—On looking on the map of North America, you will see that Lakes Manitoba and Winnipegosis, or Little Winnipeg, run on the west of and parallel to Lake Winnipeg. To the west of the two former the country is wonderfully adapted for the abode of civilised man. For a breadth of 100 miles the country is covered with a dense growth of timber, intersected by numbers of beautiful streams running down from the Riding and Duck mountains, some to the lakes, others to the south, falling into the Assiniboine River. The lakes are full of various kinds of fish of the very best quality; the plains to the south feed large herds of red deer and buffalo; the fur-bearing animals are also plentiful in this district. These mountains, it is well known, contain much iron-ore, and likely more precious minerals; some of the richest brine springs in the world are in this locality. In a dry season 24 gallons of brine produce one bushel of good salt, or 33½ per cent. These salt-springs are to be met with south of the 49° parallel; then at Swan River district again, about 50 or 60 miles to the south of Cumberland House, and thence to the great salines on the Athbusca River. Wheat ripens well on Swan River; on the Saskatchewan, at Isle à la Cross, in lat. 54°; at Dunvigan, on Peace River, 56° N., long. 117° 45', altitude 778 feet, and even at Fort Liard, in lat. 60° 5' N., long. 122° 31' W.

My desire to communicate information has induced me to be, I fear, unpardonably tedious. My want of time has compelled me to send my observations badly arranged and as badly written.

I must, therefore, conclude by asking your forgiveness and promise of amendment, if ever I shall have the honour of writing to you again. I subjoin an abstract of the census of the colony taken last May.

I am, &c.

(signed) Donald Gunn, sen.



## Appendix, No. 7.

## POPULATION :

Married men	-	-	-	986
Unmarried men	-	-	-	237
Married women	-	-	-	992
Unmarried women	-	-	-	298
Sons above 16	-	-	-	521
Sons under 16	-	-	-	1,481
Daughters above 15	-	-	-	451
Daughters under 15	-	-	-	1,557
Total of males	-	-	-	3,225
Total of females	-	-	-	3,298
Total	-	-	-	6,522
Increase since 1849	-	-	-	1,232

## DWELLINGS :

Houses	-	-	-	-	922
Stables	-	-	-	-	1,232
Barns	-	-	-	-	399

## LIVE STOCK :

Horses	-	-	-	-	1,503
Mares	-	-	-	-	1,296
Oxen	-	-	-	-	2,726
Bulls	-	-	-	-	290
Cows	-	-	-	-	3,593
Calves	-	-	-	-	2,644
Pigs	-	-	-	-	4,674
Sheep	-	-	-	-	2,429

585 ploughs, 730 harrows, 2,145 carts, 522 canoes, 55 boats, 8,371 acres of cultivated land, 16 windmills, 9 water-mills, 8 thrashing machines, 2 reapers, 6 winnowing machines.

Estimated value of property in the settlement, 111,032 l. 9 s. Twelve or 14 reaping machines introduced from Minnesota; also a grist saw-mill in successful operation since December last; it is calculated to saw logs, as well as grind flour.

On the progress of the Seasons and state of the Weather at Red River Colony, from  
June 1, 1855, to May 31, 1856.

1855. *June* 5th was the coldest day in the month: ther. 7 A.M., 58; 2 P.M., 63; 9 P.M., 56. The 14th was the hottest day: ther. 7 A.M., 72; 2 P.M., 88; 9 P.M., 71. Three in. rain fell on the 17th, 1 on the 19th, and 6 in. on the 25th.

*July* 2d was the coldest: ther. 7 A.M., 56; 2 P.M., 78; 9 P.M., 68; light rain. The 25th was the hottest day: 7 A.M., 87; 2 P.M., 92; 9 P.M., 82. 7th, rain 3½ in. 10th, rain ¾ in. Thunderstorm on the 17th; rain 3 in.; 26th, 1 in. rain; 29th, 3 in. rain; 30th, 2 in.; total, 14½ in. Wheat out of the ear; on the 12th hay cutting commenced. Tabanii and moschetoës very numerous and troublesome.

*August*.—Coldest day, 29th: ther. 7 A.M., 44; 2 P.M., 68; 9 P.M., 56. The hottest day was the 5th: 7 A.M., 67; 2 P.M., 86; 9 P.M., 76. On the 8th, 5 in. of rain fell; 11th, 5¼ in. fell; 14th, 2 in.; 27th, ¼ in.; total, 12½ in. Barley harvest commenced about the 1st: wheat harvest on the 15th. Slight frost on the 30th.

*September*.—The coldest day was the 30th: ther. average + 48. The hottest day was the 5th: ther. 7 A.M., 70; 2 P.M., 81; 9 P.M., 70. Total of rain during the month 6½ in. Finished shearing. Wheat on the 8th; a few leaves falling. 26th, grey geese flying to the south.

*October*.—The warmest day was the 1st: ther. 7 A.M., 56; 2 P.M., 70; 9 P.M., 58. Some snow fell on the 4th. Taking up potatoes on the 8th. White geese flying to the south, and continued to do so up to the 20th, and a few flocks later than that. All the larger kind of ducks leave about the same time. The deciduous trees are bare of leaves, except the oak, and some of the hardier kinds.

*November*.—The 2d was the warmest day: ther. 7 A.M., 32; 2 P.M., 38; 9 P.M., 36. 2½ in. rain fell on the 3d. 5 inches of snow fell on the 11th. 12th, river covered over with ice. The coldest day of the month was the 21st: ther. 7 A.M., —12; 2 P.M., +8; 9 P.M., +6. Warm weather from the 21st to the end of the month. 7 in. of snow fell during the month. Flocks of snow-birds have made their appearance from the north; and all the summer birds are gone.

*December*.—The warmest day was the 6th: ther. 7 A.M., +22; 2 P.M., +26; 9 P.M., +30. The coldest day was the 24th: ther. 7 A.M., —48; 2 P.M., —30; 9 P.M., —40. We had 6 days of very cold weather, including the 23d and 28th. The wind blew from the north during three days before the severe cold began; during its continuance there was very little wind, and for two of the coldest days it was at the south. 8 in. snow fell.

1856. *January*.—The warmest day was the 17th: 7 A.M., +10; 2 P.M., +22; 9 P.M., +16. The coldest was the 7th: ther. 7 A.M., —36; 2 P.M., —28; 9 P.M., —36. 5 inches of snow fell. The average cold for this month has not been great; very little wind.

*February*.—Coldest day, the 2d: ther. 7 A.M., —36; 2 P.M., —20; 9 P.M., —34. The warmest day was the 20th: 7 A.M., +26; 2 P.M., +35; 9 P.M., +24. 6 inches of snow fell. After the 12th, spirit of wine in the glass stood, with few exceptions, above zero; and the weather has been pleasant.

*March*.—

*March.*—The coldest day was the 8th: 7 A.M.—32; 2 P.M.—24; 9 P.M.—26. The warmest day was the 22d: ther. 7 A.M.+28; 2 P.M.+38; 9 P.M.+34. The thermometer fell during the night a few degrees below zero; but on the whole, the weather was pleasant; 6½ in. of snow fell; much of the snow melted during the month. Barking crows made their appearance about the 20th.

*April.*—Geese made their appearance on the 2d, and the snow birds left us for the north. The 12th was the coldest day this month: ther. 7 A.M.+16; 2 P.M.+30; 9 P.M.+24: warmest day 23d; 7 A.M.+46; 2 P.M.+66; 9 P.M.+44; about 6 in. of snow and 5 of rain fell. On the 16th the river began to throw off its winter coat; clear of ice on the 20th; sturgeon taken in the river in great numbers; the snow all away. Wild fowl to be seen in every direction on the 29th; and sowing wheat commenced.

*May.*—The coldest day 11th: 7 A.M.+34; 2 P.M.+43; 9 P.M.+39. The warmest day was the 18th: 7 A.M.+75; 2 P.M.+84; 9 P.M.+56; 4 in. of rain fell on the 26th. On the 4th, Whip-poor-will began his serenades. The wheat sown on the 29th has germinated, and given a green appearance to the field; on the 9th wild flowers abundant in the plains; maple in leaf; gooseberry bushes the same; finished sowing wheat on the 10th.

1856.—Wheat sown in the beginning of May was above the ear on the 13th July, and ripe on the 20th August: the wheat sown on the 29th April was ripe on the 14th August. The hottest day this last summer was the 20th of July. Barley harvest commenced in July; finished cutting wheat on the 28th August: slight frost on the 30th of the same month. Potatoes taken up first week of October.

September 6th, flocks of grey geese flying to the south. *Primus Americana* ripe and very plentiful in the first part of this month, or rather before this month. Flocks of passenger pigeons are in from the North, and leave from the 20th to the last of the month. On the night of the 7th Whip-poor-will gave us his parting song. *Corrigonus lucidus* enter the river to spawn; the *Corrigonus albus* in Lake Winnipeg commence spawning about the 10th of October, and end about the first of November.

Wind Courses.	June.	July.	August.	September.	October.	November.	December.	January.	February.	March.	April.	May.	Total.
North - - -	7	6	8	5	6	3	8	9	2	5	8	3	70
North-east - - -	5	1	1	1	1	2	1	-	-	-	2	2	13
East - - -	-	-	1	3	1	-	2	-	-	-	1	-	8
South-east - - -	-	1	5	3	3	1	-	-	-	3	4	1	21
South - - -	5	14	5	11	10	11	10	10	6	10	10	5	107
South-west - - -	3	3	7	2	2	4	2	7	3	2	3	4	42
West - - -	6	5	4	6	2	3	3	3	6	3	-	2	43
North-west - - -	2	2	1	-	3	1	-	2	9	7	2	1	30

June 1 calm day; one day wind variable; four days variable in October; December one calm day, and four variable; February variable during three days; March one calm day. The first 13 days of May were not registered.

(signed) D. Gunn.

Appendix, No. 8.

COMMITTEE-ROOM, 8 June 1857.

Appendix, No. 8.

Present:

Hon. Mr. Terrill, Chairman.

Hon. Mr. Robinson.  
Hon. Mr. Cauchon.

Hon. Mr. Solicitor-General Smith.  
Hon. Mr. Brown.

THE SELECT COMMITTEE appointed to receive and collect Evidence and Information as to the Rights of the Hudson's Bay Company under their Charter, the Renewal of the License of Occupation, the Character of the Soil and Climate of the Territory, and its Fitness for Settlement,—Have the honour to present their First Report, as follows:

YOUR COMMITTEE beg leave to inform your Honourable House that they have examined three witnesses, Messrs. Gladman, Dawson, and M'Donnell, upon the matter referred to them for investigation, and Your Committee submit to the consideration of Your Honourable House the evidence, hereunto annexed, of these three gentlemen.

The whole, nevertheless, respectfully submitted.

(signed) J. Lee Terrill, Chairman.

Appendix, No. 8.

THE claim which the Hudson's Bay Company set up in virtue of the charter of Charles II., has engaged my attention for some years past, and the investigations which I had the opportunity of making have led to the conclusion that those claims have no foundation in law or in equity; whilst I might not be disposed to dispute that in itself the charter may be good, so far as it creates a body corporate with a common seal, and with power to sue and to be sued; yet I contend that it cannot confer upon the Hudson's Bay Company those powers and privileges which they assume to exercise under it. The Sovereign, in the exercise of the prerogative of the Crown, may grant a charter; but it has always been held that no Sovereign can grant to any of its subjects exclusive rights and privileges without the consent of Parliament; and this charter having been so granted, the powers and privileges sought to be exercised under it are illegal.

And this evidently was the opinion of the Hudson's Bay Company themselves as early as 1690, viz., 20 years after the date of this charter. At that period they petitioned for an Act to be passed for the confirmation of those rights and privileges which had been sought to be granted to them in the charter.

The Act 1st of William & Mary is the Act alluded to; it did legalise and confirm them, but only for the period of seven years, and no longer.

That Act of Parliament has never been renewed since it expired in 1697; consequently the charter is left as it originally stood, and wholly unaffected by any conformity Act of Parliament.

The very foundation for the charter is a grant of territory presumed to have been made in the year 1670. Now as Charles II. could not grant away what the Crown of England did not possess, much less could he grant away the possessions of another power: the very words of the charter itself excludes from the operation of the grant those identical territories which the Hudson's Bay Company now claim.

At the date of the charter these territories were then actually in the possession of the Crown of France, and held and occupied by the Company of New France, under and by virtue of a charter granted by Louis 13th of France, and bearing date 1626, being 43 years anterior to the date of the charter by Charles II. A reference to the charter alluded to will show that it defines the very boundary of those territories which the Hudson's Bay Company now claim. A copy of the charter of Louis XIII. will be found among the Parliamentary documents of Lower Canada.

By the Treaty of Ryswick, in 1696, the whole of Hudson's Bay was recognised as belonging to the Crown of France. In that treaty no rights nor claims are provided for, or even alluded to, as regards the Hudson's Bay Company; whence it is conclusive that the Hudson's Bay Company either had no legal rights, or such rights, if they existed, were abrogated by that treaty.

By the Treaty of Utrecht, in 1713, a portion of the shores of the Hudson's Bay was ceded to England, and that was the first time that England could claim an undisputed possession there. In the treaty, stipulations were made for the necessary protection of the Company of New France, which then held the country under the charter of Louis XIII. The charter of Charles cannot be construed to have the effect of granting any lands acquired only by the Crown of England under another sovereign, and long after the death of Charles.

By the Treaty of 1763, which surrendered Canada to the British Crown, the French and Canadian people were guaranteed in their properties, and in the exercise of those rights and privileges of trade as used by them under the French dominion.

They had for a century previous carried on an extensive trade with all the western country, particularly throughout the vallies of the Assiniboine and Saskatchewan.

The grant of every exclusive privilege of trade by the Crown of Great Britain over any portion of the country alluded to is a direct breach of the articles of capitulation (Article 42): "The French and Canadians shall continue to be governed according to the customs of Paris, and the laws and usages established for this country, and they shall not be subject to any other imposts than those which were established under the French dominion."

The term "Hudson's Bay Territory," as used in Acts of Parliament, and which Acts the Hudson's Bay Company assume to regard as a recognition of what they call their right, can only be made to apply to such territories as lie within the Straits of Hudson's Bay, and were, in 1670, actually in possession of the Crown of England; none other could have been granted; or, if made to apply to other lands, it can only be made applicable to such territories as were at that period unknown to the Crown of England or any other power, but were subsequently discovered by the Hudson's Bay Company, in conformity with the conditions upon which the charter was granted, viz., on the discovery of a new passage into the South Sea.

The mere incidental allusion in those Acts to the "territories heretofore granted to the adventurers trading to Hudson's Bay," is not declaratory of the legality of the claim. It was well known that the Hudson's Bay Company claimed territory under a charter of Charles II.; the Legislature were not required to express opinion upon the validity of the deed, nor what were the boundaries of the country supposed to be granted. Nor do those Acts of Parliament preclude the assumed rights of the Hudson's Bay Company being inquired into, or set aside as being illegal.

Besides, when these Acts refer to the territory, and allude to the "rights of the Hudson's Bay Company," there is this very significant proviso,—such rights as the said Company are by law entitled to "claim."

A reference to the history of Canada will establish the fact, that the charter of Charles II. can confer no rights nor claims to territory.

The

The able memorandum furnished to the Legislature by the Honourable Mr. Cauchon recites historical facts, and furnishes data to warrant the conclusion that the assumption of power over the territory in question by the Hudson's Bay Company is a usurpation.

That portion of territory to which they limit their claim to an exclusive right of trade in virtue of a licence issued to them and the partners of the North-west Company in 1821, and since renewed in 1838, will be admitted as a legal right; but it is a right which I think the people of Canada will unanimously protest against ever being renewed.

Such exclusive privileges are antagonistic to the spirit of the age in which we live, and are opposed to the best interests of Canada, and are regarded in this country as a direct infringement upon the rights of a free people.

Immediately after the cession of Canada (about the year 1766), numerous British subjects engaged in the fur trade, and pushed their enterprises throughout the whole of British North America, trading from Montreal to Hudson's Bay, and to the Pacific shores; these traders followed the old route of the Company of New France and the French traders; in 1784 the most of these traders united, and formed the North-west Company of Montreal. They carried on their trade also in Hudson's Bay, and sent ships there as well as the Hudson's Bay Company; the North-west Company sent ships also around Cape Horn, to the mouth of the Columbia; the Hudson's Bay Company did not trade there at that time, nor in any part of that country which they now designate as the licensed territory.

The principal trade of the North-west Company was carried on through Canada to the shores of the Pacific; the route pursued was from Montreal *via* the lakes, to the head of Lake Superior, and thence across the continent; the means of transport was by canoes and batteaux; about 5,000 men were employed in this trade.

I am told by those who were partners in that Company, that the profits of the Company were very great until the Hudson's Bay Company attempted to drive them out of the country by means of force; the contests arising from that attempt caused serious losses to each Company, and both were nearly ruined. It was then that the Companies united, and resolved to share the country between them, by setting up the claim under the old extinct charter; and with their united means they deterred other traders entering into a competition for the trade, and this was year by year more effectually guarded against by using every means to close up the old travelled routes, which would have pointed out the way to other traders.

Sometimes independent traders would make an establishment along Lake Superior, or some of the lakes more in the interior; these parties were driven out, and their property destroyed.

There was no means of redress, as there were no tribunals at which the perpetrators could be made to answer, and to travel with a canoe some 1,000 miles to institute proceedings was an effectual bar since 1847; steamboats now traverse along the coasts of Lake Huron and Superior, but even now with these facilities a man cannot obtain justice; the countries along these shores are neither within the limits of any organised territories, and outrages are committed by the Hudson's Bay Company with impunity.

The Hudson's Bay Company first entered into the valley of Saskatchewan about 30 years after the cession of Canada, and whilst the North-west Company had large establishments there.

The Hudson's Bay Company did not enter into the valley of the Assiniboine until about 42 years subsequent to the cession of the country (about 1805).

Resident traders from Montreal made establishments there as early as 1766, or about three years after the cession.

The French traders must have occupied many of the same localities near 100 years prior to that.

The Hudson's Bay Company entered into those countries from Hudson's Bay *via* Hay's and Nelson Rivers; previous to this they had confined themselves to the shores of Hudson's Bay; they did not set up a claim by virtue of the charter until many years after their first entering into these countries; they traded like any other traders, and like the North-west Company; the North-west Company was not a chartered company, but a joint stock association, and claiming no exclusive privileges.

The Hudson's Bay Company first set up the claim of exclusive rights, &c., in 1814; the late Colonel Miles McDonnell did so on behalf of the Company, by issuing a proclamation as the Governor of the Assiniboine country, appointed by the Hudson's Bay Company; the contest which ensued between the two companies originated on the assumption of exclusive rights, and not from the actual competition in trade; the trade had always been carried on freely and without any restrictions; the proclamation was set at defiance by the partners of the North-west Company; among the most prominent of these were some of his own relatives.

I believe there never had been any collision between the rival traders until after the assumption of power on the part of the Hudson's Bay Company; the legality of the claims of the Hudson's Bay Company were never subjected to the decision of a legal tribunal, unless the result of the trials of some of the partners of the North-west Company—be deemed so; these parties were charged with the crime of murder, having taken the lives of the Hudson's Bay people who sought to enforce their claims.

The companies united in 1821, and called themselves the Hudson's Bay Company.

The effect of this union was to destroy a trade which had theretofore benefited Canada, by turning it through Hudson's Bay; the route *via* the lakes was abandoned, not because

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it was a more objectionable one, but because the continuing it as the route would in all probability lead to another competition for the trade by Canadian merchants.

The united companies succeeded in closing the route to all others who might have been disposed to compete for the trade; having been closed for so many years, and no new trader being induced to enter into contest with the new powerful company, the trade and the route became forgotten; if the trade were again opened, I am convinced that as active and productive a trade as formerly would at once spring into existence.

The facilities which now offer for the successful carrying it on are as 100 to 1 as compared with the former period; for instance, it cost the North-west Company 30,000*l.* to lay down their goods at Fort William, at the head of Lake Superior; the same quantity of merchandise might now be laid down there for 300*l.* or 400*l.*, and the route between this and Lake Winnipeg, could for more than three-fourths of the way be made facile for a steamboat. If a large trade like that which formerly was carried on should ever be revived, there is no doubt but that steamers would ply upon the long reaches of water which exist beyond the height of land.

I am convinced that within two years a trade would be carried on along that route to the shores of the Pacific.

It was so in the early history of the country, and before steam was known, and there is no reason why such a trade should not exist now; witnesses will tell you that in 1814 and 1815 Fort William had frequently 3,000 traders assembled there; Toronto at that period could not number 500.

Had the North-west Company not united with the Hudson's Bay Company, there is no doubt but that the route *viâ* Lake Superior would by this time have been navigable all the way to the Saskatchewan, or at least all the portages made facile for teams, &c., and a chain of settlements would have been formed along the route.

The profits of the Hudson's Bay Company are very large. In March 1856 it is said the trade sales amounted to near half a million; they sold of buffalo robes alone 80,000, at about 2*l.* 10*s.* a-piece.

Goods from England could, *viâ* the St. Lawrence, be laid down on the shores of Hudson's Bay or Lake Winnipeg, before they could leave England for those points *viâ* Hudson's Bay.

Ships do not leave England for Hudson's Bay before the month of June, and they cannot get through the straits before the end of July.

There is a determination on the part of those who are settled on what is called the Hudson's Bay Territories to engage in a trade, and set at defiance any attempt to continue the exclusive trade of the Hudson's Bay Company.

Traders have gone out to the Red River country, with the intention of trading against the Hudson's Bay Company; they are British subjects, and some have gone from this place, and others will follow from other parts of the country.

Preliminary arrangements have been made in this city, with a view of reviving the old trade once carried on by Canada, and which emphatically belongs to Canada.

An agent was sent last winter to the Red River; upon his return here a more definitive action will be taken.

The parties that have gone with goods, and those who are to follow, will go on by the United States, *viâ* St. Paul's.

From St. Paul's they will travel by carts across the plains about 700 miles.

Goods have been furnished by American houses at St. Paul's to parties at the Red River, who are to trade as far as the Mackenzie River; that is, within the territories over which the Hudson's Bay Company claim the right of exclusive trade, in virtue of the license held by them, and is distinct from what is called the Chartered Territory.

These parties are generally half breeds; as natives of the country and as British subjects, they are determined to exercise a right which no laws can restrict unless they have a voice in making those laws.

This summer about 1,200 carts are expected to leave the Red River country with peltries to be traded at St. Paul's.

The route is much longer than that to Lake Superior, and it occupies about 30 days of travel; if that by Lake Superior was improved, boats might arrive there in 15 days from the Red River; loaded canoes, during the time of the North-west Company, were about 12 days; a light canoe has passed from the Red River to Lake Superior in eight days.

The expense to be incurred in re-opening the old route has caused parties to take the St. Paul's route.

If the route was opened from Lake Superior, I have no doubt but the whole trade of that country would come down Lake Superior.

Had not the carts at the Red River been all prepared for the travel to St. Paul's this summer, I believe that many of the traders would have attempted the Lake Superior route this month; some packs of furs are now on the way down *viâ* the Lake Superior route; only one canoe-load however, is coming; neither boats nor canoes were built, or, I am informed, there would be more.

The value of peltries to be taken to St. Paul's by the carts will amount to about \$100,000; they will carry back merchandise in exchange and some money.

I am convinced that the Indians will be vastly benefited by a competition in trade, and at the same time advance them to civilisation.

The very existence of the Indian is now made dependent upon the supplies which the Hudson's Bay Company provides, and the consequence is that he is subjected to the Hudson's Bay Company in as great a degree as the horse is to his master. When the Indian has a choice of a market for his furs, or for the purchase of the necessities of life, he becomes more independent and self-reliant, and he certainly has a better opportunity of being remunerated for his toil than when he is compelled to sell and to purchase at the same shop.

A competition in trade will always be accompanied by the introduction of immigration, and all the various industrial pursuits of civilised life.

These always carry blessings in their train. I know that whenever the Indians can by any possibility relieve themselves from the necessity of hunting for the Hudson's Bay Company, they do so; and they are not more slow than others in discovering that there are other occupations which will produce powder and shot, and blankets, and other necessities, as well as the more laborious and uncertain pursuit, the chase.

In 1846 the whole of Lake Superior was as absolutely under the control of the Hudson's Bay Company as the most distant parts of Hudson's Bay; and the same thing may still be said of it, with the exception of the fort at Sault St. Marie, and perhaps the fort at Michipicotta; civilisation has surrounded the one, and occasionally approaches the latter; but at the forts at the Pic, at Neipigon, and at the Kaministiquia, they have relaxed but little in their rule over the Indians. In 1846, the Indian band at Garden River were miserable, and depended upon the hunt: as soon as civilisation came around there they turned to till the earth, and ceased to be hunters, and I do not now believe that a single fur is now carried by any of the band to the Hudson's Bay fort at the Sault; the same band of Indians who did not even grow a potato in 1846, sold in 1850 three thousand bushels, and they now possess cattle, and grow crops of grain. Shortly after we opened mines upon Lake Superior, several Indians came to us from the neighbourhood of Michipicotta; they ceased to be hunters for the Hudson's Bay Company, and soon 20 or 30 were employed at the mines in clearing up the land, and some in driving drills, others in fishing for the establishment. They soon discovered that they obtained for their labour those articles which peltries only would produce or purchase at the Hudson's Bay Company's fort.

Wherever mines were opened upon Lake Superior, the Indians found employment in some capacity or other; and among a body of miners there were always some who traded or purchased the furs which any Indian would bring in, and sold to better advantage and to more satisfaction to himself; he was no longer under the apprehension, that unless he carried his furs to the Hudson Bay post he and his family would suffer.

I might give very many instances of misery and degradation of the Indians of Lake Superior, when dependent upon the Hudson's Bay forts for all the necessities of life; and I can show those same Indians now well clothed and well fed, and enjoying comfort and happiness, and drawing a sustenance from the production of the soil, or engaged in some other pursuit less precarious than the hunt, and all resulting from having a free choice to sell and to buy from whom he pleased; one instance will serve to exemplify how the Indian is benefited by a competition in trade, and it will illustrate how the system of the Hudson's Bay Company is calculated to degrade and destroy the capabilities of emancipating himself from the bondage of an avaricious community of trading monopolists. Along the shores of Lake Nipissing are extensive cranberry marshes.

The cranberry is an article of trade, and sold at a very remunerating price. A merchant at Penetanguishine, Alfred Thompson, Esq., engaged an Indian chief, named the Eagle, to gather cranberries for him, and agreed to take some 200 barrels at \$6 a barrel; the Indian commenced to gather them; he was forbidden to do so by one Ormond, the person in charge of the Hudson's Bay post near the locality, and he proclaimed to the Indian band that if they gathered any cranberries, he would stop all the supplies which were necessary to them for their subsistence during the long winter. This then had the effect of deterring the Indians, their women, and children, from gathering the fruit.

The object which the Hudson's Bay Company had in view, was to prevent the Indians learning that there was another pursuit whereby they would soon become independent of the Company, and cease to be their hunters.

As there were no traders within some 300 miles of the locality, the Indian band were wholly dependent upon this post for all the necessities of life, and they had not experience that the products of their marshes would have more readily, and with greater advantage to themselves, purchased all those necessities of life which only peltries can obtain at the Hudson's Bay Company's post. The Indian chief came to me, stated the circumstance, and immediately upon Mr. Thompson being made acquainted with the matter, he at once in a spirited manner furnished the chief with a supply of goods, with which he started to set down alongside the Hudson Bay post, and prove to his band that they possessed the means of being rendered independent of hunting for the Hudson's Bay Company.

There is no danger of contest, such as the Hudson's Bay Company and North West Company carried on in former times; the latter company but defended themselves from their assailants, and it is not likely that these will again resort to a like guilty course.

I believe the country to be a very fine country, and not at all inferior to the most favoured places of Canada West, but I do not think that the fact of its being so or not is material to the question of the day; that is, whether or not the Hudson's Bay Company shall continue in the enjoyment of an exclusive monopoly in trade. Even if the whole country from Lake Superior to the Pacific be a barren country, utterly destitute of any hope of cultivation, yet

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we know that there exists a trade, be it valuable or not. British subjects, and above all Canadians, will exercise a right of trade there, and maintain that in this day even Great Britain, without their consent, has not the right to forbid the Canadian people trading there, merely to protect some few traders in London in the enjoyment of a monopoly.

Besides the route *via* the Kaministiquia to the Red River, there are other routes within British territories.

The first named is the one now travelled, and is called about 680 miles; there are several portages. There is another route leading from the Kaministiquia, and may be made a better one than that now used.

Another route could be made from the shores of Lake Superior to Arrow Lake; this would be the shortest of any. The Pigeon River route is the old route of the French, and also of the North West Company.

I have a chart of the routes, and with all the portages laid down, and the measurement across each portage in fads. Grand Portage, which is from Lake Superior to Pigeon River, is within the United States boundaries; but the dividing line is through the middle of Pigeon River.

I think that we have a better route than that from the mouth of Pigeon River; I have the measured distances across the portages by other routes.

Steamboats could run upon several of the long reaches, and were it not for some short spaces, the whole distance to the west side of the Lake of the Woods almost might be rendered navigable for steamers.

(signed) Allan MacDonell.

*George Gladman*:—Am a native of the Hudson's Bay territory; born at New Brunswick, one of the Hudson's Bay Company's posts on the Moose River; am 57 years of age; reside now at Port Hope, Canada West; was taken to England by my father when six years of age; my father was a chief factor of the Company; his commission bears date 1805; my father died in 1821, whilst in the service of the Company. I returned from England to Hudson's Bay in 1814; was 31 years in the Company's service in the northern and southern departments of their territory; was a clerk in the service from 1814 to 1836. I then received a commission as a chief trader; chief factor is the highest grade of officers in the Hudson's Bay service; was storekeeper and accountant both at the Moose Factory depôt and the York factory depôt; have traded with the Indians in both departments; resigned my commission in 1845; had no quarrel with the Company; falling into bad health in 1849 at Port Hope, was re-engaged in the Company's service, receiving a new commission in 1850. Again resigned in 1853, and returned to Port Hope, where I have a small farm; as a native of the Hudson's Bay territory, feel deeply interested in regard to the welfare of its numerous people, and in its progressive improvement.

Wintered at New Brunswick the first year of my engagement with the Company, 1814; the soil at that station very good; excellent potatoes raised there, also every description of vegetables; oats ripened well, made good oatmeal, ground with a steel hand-mill; had good barley also; no attempt made to raise wheat or corn there at that time, 1814; has been since tried, as I am informed, and with very good success; horned cattle kept there; housed during winter; do not know anything to prevent a good settlement being made there; rather distant from markets; this station is about midway between Moose Factory and Lake Superior; goods are conveyed thither in boats of from 24 to 28 feet keel, from Moose Factory; the North-west Company's posts there in 1814 were supplied with goods from Canada; winter temperature rather severe; lowest degree of the thermometer observed was 45 below zero.

Wintered next at "Eastmain" old factory, on the east side of Hudson's Bay; climate not so good as at Moose Factory or New Brunswick; raised good potatoes, turnips, and other vegetables nevertheless; soil sandy; station much exposed to bleak north-west winds off the sea; a large herd of cattle kept there at that time, an abundant supply of hay being made in the salt marshes on the shores of the bay; vetches grew wild on the point of the river; abundance of wild strawberries and currants; the cattle were kept as a resource in case of the Company's ships wintering in the bay; have wintered four several years during my experience; two ships wintered at "Strutton's" Island (James Bay) in 1815-16; again at Charlton Island in 1817; again at the same place in 1830, and a fourth time in 1833; was a passenger on board on the last occasion; the ships did not leave Moose until late in the month of September, encountered heavy bodies of ice in the north part of the bay, and winter setting in early, were obliged to return to the nearest place where supplies could be procured; crews and passengers suffered much from scurvy; were furnished with provisions both from Eastmain and from Moose Factory; the voyage through the straits and bay was at that time considered doubtful and hazardous; ships, however, have only wintered in the bay once since then. Charlton Island was a depôt station of the North-west Company of Montreal about the year 1808; they had another station on Haye's Island, nearly opposite to Moose Factory; the scheme of trading in the bay was not found remunerative, and those stations were abandoned before I returned from England in 1814; the lowest temperature I remember to have registered at Eastmain was 50 below zero.

Was

Was at Big River, north of Eastmain, in 1818; did not winter there; soil sandy and light; climate similar to that of Eastmain; potatoes and other vegetables grown there notwithstanding; was also at Rupert's House, where the soil is much better, and the station more sheltered than either Eastmain or Big River; more favourable for garden cultivation; the cultivated grounds at all the Company's posts are of small extent; none that I saw would be called a "farm" in Canada; farming and fur trading reckoned incompatible pursuits by the Company's managing officers.

Have been at Hannah Bay, a small post at the extremity of James Bay, maintained chiefly for the purpose of procuring wild fowl for the subsistence of the depôt establishment of servants; wild fowl are generally very abundant on the shores of Hudson's Bay.

Resided at Moose Factory 15 years; it is the chief depôt of the Company in the "southern department"; much sheltered from northerly winds; climate and soil good; raised potatoes and other vegetables there in great abundance; barley ripened well; small fruits, as currants, gooseberries, strawberries, and raspberries plentiful, grow wild; never knew wheat, tried, the season being too short; horned cattle, horses, sheep, and pigs kept there; all housed in winter; the goods from London are there landed, and the furs shipped.

Have been also at Albany, but did not winter; climate and soil does not differ much from Moose, being little more than 100 miles further north; well sheltered also, and the extensive marshes on the coast furnish an abundant stock of fodder for domestic cattle. The Albany River is considered one of the best routes of communication between Hudson's Bay and the Red River settlement; boats were used for conveying goods to the interior country long before the junction of the Hudson's Bay and North-west Companies in 1821; the most western post of the Albany district of ancient days was Brandon House, on the River Assiniboine; the soil around the ports of Henley, Martin's Falls, Osnaburg, and Lac Seul, is of a quality that enables the servants of the Company to raise fair crops of potatoes; in point of latitude these posts are very little north of Red River.

Was in England in 1834-35, and on my return to Canada was ordered into the northern department of the Company's trading territories; Cumberland House being appointed as my wintering station in 1835; excellent wheat grown at Cumberland, which was ground by us with a steel hand-mill; made flour of first quality; other vegetable produce raised there with complete success; soil chiefly on limestone, and the climate favourable for garden stuffs of every sort; the Company's horses were not housed at all during the winter, and thrive very well in the reedy swamps near to the station; this is considered, in fact, one of the choice posts of the northern country.

Was stationed at York factory from 1836 to 1841; the soil around not adapted to cultivation, being for the most part mossy swamps; saw a crop of turnips raised there in a small garden only once, failed in other years from frequent blights and night-frosts during the summer months; ice remains on the coast through July; pits were dug there with a view of ascertaining the depth of ground thawed during summer; repeated digging showed only about three feet of thawed ground, whilst the perpetually frozen ground was found to be about 15 feet. This depôt is the most important post of the Company on Hudson's Bay, being the centre of imports and exports of the whole northern department; Indians are employed in transporting goods, are very expert voyageurs, and engage readily in any duties required of them by the Company's officers; they are paid chiefly in clothing and other goods essential to them for making a winter hunt of furs; many of them died in 1836 from influenza.

Was at the Company's post at Red River for a few months in 1841; wheat may be raised at the settlement in almost any quantity; hitherto the want of a market for their products has cramped the energies of the settlers; the quantity of flour and other produce required by the Company is so small that it can readily be furnished by three or four farmers; an extract from the census of 1856 shows that the number of horses then at the settlement was about 2,800; horned cattle, 9,300; pigs, 4,700; sheep, 2,400; estimated value of live-stock, 52,000 l. sterling. The population of the settlement, including Indians, is about 10,000. A large stock of wheat and flour is generally kept on hand by the Company, to guard against want, arising from failure of crops, whether caused by spring freshets, summer droughts, insects, or other casualties. Supplies of goods for the settlement are sometimes transported from York factory in the autumn, after arrival of the Company's ship from England; the greater part is usually sent up in the early days of summer; settlers have begun to find it more advantageous to sell their furs and carry on their commercial dealings at St. Paul's, Minnesota; they have the choice there of a greater variety of goods, and obtain farming implements which are not yet manufactured in the settlement, or imported by the Company. A considerable portion of British trade is thus becoming lost both to England and Canada; is yearly increasing, and will continue to increase in amount. A well supplied depôt or store established at the "Lake of the Woods," which is only about 100 miles from the Company's post at Fort Garry, might probably divert a considerable portion of the trade from the American course it is now taking. It may also be desirable to counteract as much as possible every tendency towards a leaning or dependence on our neighbours for supplying the wants of the colonists. Troops being stationed at Red River, it becomes important that a regular chain of communication with them should be immediately and permanently established, and depôts of military stores formed. Hudson's Bay and Straits being closed by barriers of ice, and communications by that sea route only practicable at one particular season of the year, it is, I conceive, very important indeed that provision should be made for every contingency that



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may probably arise. If it should be found desirable to send a re-inforcement of troops to the settlement at a late period of the year, say September, or to send additional stores of any kind, it is clearly "impracticable" for a second vessel to make the voyage by the straits at that season. On the other hand, in ordinary years the route between Lake Superior and the Red River settlement, by way of Rainy Lake, is open during the month of October; it seems to me, therefore, almost indispensable that the portage roads should be cleared, and a boat communication be established with the least possible delay; my opinion is, and I think I shall be sustained in this opinion by older members of the North-west Company, that boats may be used (in what is now the canoe track of the Hudson's Bay Company) for transporting bulky or heavy packages from Lake Superior to Rainy Lake. Thence to Lake Winnipeg boats are used, and have been used by the Hudson's Bay Company for many years back, in the transport of their goods and furs to and fro. The whole length of this canoe track, including lakes, rivers, and portages, does not exceed 150 miles; there would be some difficulty and labour in clearing these portages and improving the navigation of the small shallow streams that have to be passed; but I cannot give way to the assertion that the difficulties to be contended with are insurmountable, and the route consequently impracticable, except for north canoes. A sufficient force of men, with an ample supply of tools, would make the road passable in a month or two; and if wintering parties were placed at certain points, I have no doubt whatever the whole route may be placed in good travelling order before the expiration of another year. The positions I would suggest as points of occupation are, Fort William, the Lake of the Thousand Islands, and the point of the boundary line terminating on the Lake of the Woods; boats might be constructed during the winter at each of these positions, and remain on the chain of waters where required. At an after-period, when the portage roads are completed, tramways may be laid down, and trucks used for the conveyance of heavy stores and baggage. Improved portage roads and river navigation would also enable settlers from Canada to locate themselves on the borders of the Kaministiquia and Rainy Rivers, or other suitable places, of which we have such glowing accounts by travellers who have passed through that interesting country. There are several considerable lakes on that line of route, and there are many parts of the rivers without rapids or portages, so that the land carriage would not be very great. The officers of the Company pass through the country so rapidly, they have little or no opportunity for making observations as to the quality of soil, or its fitness for agricultural purposes and settlement; nor do they take much note of distances from point to point. The Red River section, the Swan River, the Saskatchewan, the Assiniboine, and the lands west of the Lake of the Woods, are considered the most desirable portions of the country for farming purposes. Other localities are no doubt equally as good, and where wood is more abundant, as the Winnipeg River, and the borders of Rainy Lake.

No agricultural "settlers" (properly so called) are permitted at or near the Company's trading stations, excepting Red River; their stations are occupied solely by the officers and employees of the Company and their families, the Indians being the only other residents near the stations.

There have been occasions when provisions and goods were sent in canoes to Rainy Lake; but those were very rare, and arose from unusual circumstances, the regular supplies for the district being always sent from York factory in boats.

Have been several times in charge of the station at Norway House; it is the central depôt of the upper country; the Company's "brigades" of boats for the Saskatchewan, the Rocky Mountains, Cumberland, English River, Athabasca, Mackenzie's River, Swan River, Red River, and Rainy Lake, all receive their voyaging supplies at this station; it is especially the depôt for Athabasca and Mackenzie's River. The goods for Mackenzie's River are sent in by a brigade of boats fitted out from Red River, and leave Norway House in June; they are met by the Mackenzie's River boats at Portage La Loche, or Methy Portage; cargoes are exchanged; the boats of Mackenzie's River return to the head quarters of the district to which they belong, Fort Simpson; and those of Red River to York factory, where they arrive often barely in time to ship the furs for London. The Athabasca supplies are lodged at Norway House, and are carried in by the same boats that bring out the furs; these furs are then sent forward to York factory by other brigades. Good potatoes are grown at Norway House, and at the Indian village in the neighbourhood; this village was commenced by a Wesleyan missionary from Canada in 1836 or 1837, and is increasing year by year; the Indians have built log houses, cultivated patches of land, are industrious, and gradually becoming independent of fur hunting; soil at the village good; have not known wheat tried there, but being on the same parallel as Cumberland, may be raised when further clearances have been made; these Indians are the carriers and voyageurs of the district, and are consequently absent from home the greater part of the summer.

From 1842 to 1845, when I resigned my first commission and came to Canada, was stationed at Oxford House; experienced no difficulty whatever in raising vegetables, with a sufficiency of potatoes for the use of the Company's people, and had some to spare for York factory, and for the Indians.

There is another Indian village on the Saskatchewan River, near Cumberland; it is under the superintendence of a Missionary of the Episcopal Church, and is going on prosperously; wheat is raised there; also barley, and vegetables of almost every description.

Goods for the supply of the whole of that country are shipped from London; generally in the first week of June; arrive at the depôts on Hudson's Bay in the end of August, or beginning of September; discharge cargoes, and re-load with furs as quickly as possible, and return to England; a very small part of the goods is distributed to the trading stations

in the autumn; the greater portion remains in store all winter, and is distributed throughout the whole of the districts in the following summer. Boats are used in the transport service of every district, except Abittibbi and Temiscamingue; those are the only places I know where canoes are in use for conveying goods and furs.

The river navigation from York Factory to Lake Winnipeg is much interrupted by shallows, rapids, and falls; some are dangerous when the water is high; portages are not very long, and the whole route has been much improved since 1821; from Moose Factory to Lake Superior, the water communications have been improved in a similar manner.

The Indians would, in my opinion, be benefited by a free, open trade, provided spirituous liquors could be excluded; provisions, clothing, and other articles, which are to them the necessities of life, they would be able to obtain with greater facility, and in more abundance than they now do; the chances of suffering and privation, from not having adequate supplies, would be lessened; and, no longer obliged to roam over the country in search of a livelihood, families would congregate together, become tillers of land, and their condition be thus greatly improved.

There is a fixed tariff for sales of goods to the Company's servants, in all parts of the country 50 per cent. on prime cost; commissioned officers pay 33½ per cent., which is allowed to cover freight, and charges to the depôts; there is no fixed or regular tariff for dealings with the Indians; the custom of the post regulates prices, both for goods and furs. When I was in the service, the Indian tariff prices, or custom prices, had not been changed at some of the districts for many years; goods are dearer at the distant posts, and prices vary at each, more or less; great latitude in this respect is allowed to officers in charge of districts; the success of the trade and welfare of the Indians depend chiefly, almost entirely, on their judgment and management, not on the Directors in London or on the Governor of Rupert's Land; general arrangements for conducting the trade are made by the councils of officers held once a year in the country. The Governor presides; councils determine the outfits of goods; number of men to be employed; stations to be occupied; boats to be sent in or out; minor details left to the discretion of the officers appointed to the charge of districts and posts; officers amenable to the council; each officer makes an order for the goods he considers needful for the trade of his district, restricted according to the number of boats ordered; supplies are sometimes insufficient for the wants of the Indians; they do not unfrequently suffer from this cause. Orders for goods sometimes curtailed and diminished by the officer in charge of the depôt; sometimes in England by the Governor; depôt officer responsible to council in such case; the treatment of the Indians, whether humane, or otherwise, depends entirely on the officers in charge of posts; his liberality governed by his outfit. A general order was made in 1821, that the Indians be treated with kindness and humanity; that order has never been rescinded; gunpowder, shot, and ball, fishing twines, blankets, cloths and axes, are the chief necessities; without these the Indians may perish. In all parts of the country where I have been, the Indians were peaceable and inoffensive; troublesome when intoxicated, sometimes dangerous; they have been reduced in number by diseases, as small-pox, influenza, hooping-cough, scarlet fever, &c.; never knew of any hospital on the east side of the Rocky Mountains; the Company's posts are so few and far between, that the Indians cannot readily obtain relief or assistance in a time of sickness; each post supplied with such medicines as the officer in charge may order; one medical man at each depôt only; no schools or schoolmasters at the posts, excepting Red River; none that I know of, from 1814 to 1845; there may be, since I left the service.

Goods in the original package from England may be laid down at Lake Superior in the month of May, or by the first week in June; the Company cannot be unaware of this fact; their goods are only leaving England at that date; the Company's posts at Lake Nipissing, Lake Huron, Sault St. Marie, and Lake Superior, are all supplied with goods from their depôt at Moose Factory; these goods only arrive at their several destinations 15 months after shipment from London. Goods from Canada might be conveyed to the shores of Hudson's Bay or to Lake Winnipeg in July, or three months only after shipment; the furs traded from the Indians within the same limits are collected at Mechipicotin, and conveyed to Moose Factory, where they are shipped to London, might certainly be in London (by conveying them through Canada), in the month of September, or date of shipment from Moose Factory; when the ships wintered in Hudson's Bay, the furs did not of course reach London until the following year. Was four years at the King's posts and seigneuries on the St. Lawrence, in the Company's service; the furs from those posts and from the Ottawa, were sent to Quebec for shipment to London; the furs of Temiscamingue, Abittibbi, Grand Sac, Trout Lake, Waswanopy and Mistasinny, are all sent to Moose; receive their supplies of goods from the same place; the Company's private rights are not much respected on the St. Lawrence.

Have not been at the Oregon, or crossed the Rocky Mountains, neither have I been at any of the districts north or west of Cumberland House; my position at the depôt enabled me to gain information, and know what was doing in those parts of the country. Potatoes were raised at the Saskatchewan, Lesser Slave Lake, English River, Athabasca, and other posts in the southern part of the Mackenzie River, although sometimes cut off by frosts.

Churchill and Severn, posts on the coast of Hudson's Bay, are supplied from York  
0.24—Sess. 2. 3 D Factory

Appendix, No. 8. Factory by means of boats and small schooners; the proximity of bay ice renders garden crops very uncertain; in favourable years they raise vegetables; the same may be said of the whale rivers on the eastern side of the bay; at these places porpoise fishing is now carried on, but with very little, if any, pecuniary benefit to the Company. There are no salmon or other fisheries carried on in Hudson's Bay; never attempted, so far as I know; too much ice in Hudson's Bay and Straits to make a profitable speculation.

The acting partners or officers of the fur trade stationed in the country have no voice in regard to leases or charters of the Company; these matters are arranged and settled by the Board of Directors in London; and it is only from thence, or from the Imperial Government, that information is or can be derived. The commissioned officers of the Company are governed by a distinct code of regulations or "deed poll," as it is termed, and covenant entered into when they receive their commissions: and by this deed poll their interest in the trade is defined and guaranteed.

The memorandum of the Honourable Commissioner of Crown Lands, published in the "Return to an Address of the Honourable the Legislative Assembly," is so replete with valuable data on which to ground a report by this Committee, that I cannot regret my own inability to say anything of importance on the charter of the Company, their leases, or their titles. I perfectly agree with the Honourable Commissioner, that the time has arrived, when the measures he has suggested should be "most forcibly pressed upon the Imperial Government;" and I beg your permission to express my deep-felt conviction, that on the decision of this Committee, and the course of action that may be taken by the Canadian Government at this juncture, depends the future weal or woe of my countrymen in the British North-west Possessions.

Mr. William MacD. Dawson, called in, and Examined.

I AM the head of the Woods and Forests Branch of the Crown Land Department, and reside in Toronto.

I have never had any difficulty or quarrel with any one connected with the Hudson's Bay Company.

Have you particularly studied the titles under which the Hudson's Bay Company claim certain rights of soil, jurisdiction, and trade on this continent?

I have made this subject a particular object of study for many years, and have omitted no opportunity of acquiring information upon it; and although with more time than I could devote to it, and a more extended research, much additional information could be obtained, I believe that it would only tend to fill up details, and strengthen and confirm the results of the investigation I have already made.

Will you state to the Committee the result of your investigation?

The result of my investigation has been to demonstrate that in the Red River and Saskatchewan countries, the Hudson's Bay Company have no right or title whatever, except what they have in common with other British subjects. Wherever they have any possession or occupancy, then they are simply squatters, the same as they are at Fort William, Lacloche, Lake Nipissing, or any of their other posts in Canada.

The governmental attributes they claim in that country are a fiction, and their exercise a palpable infraction of law.

I am no enemy to the Hudson's Bay Company, nor to any individual connected with it; and I think that there are at the present day extenuating circumstances to justify a great degree of forbearance towards them when their position comes to be dealt with, either judicially or legislatively.

Illegal as it undoubtedly is, their present position is a sort of moral necessity with them. The first attempt of the Company, under Lord Selkirk's regime, to assume that position, was no doubt a monstrous usurpation; but it was defeated, though not till it had caused much bloodshed.

The Hudson's Bay Company and the Canadian Traders (North-west Company), afterwards amalgamated; and then, in pursuance of a policy most dexterously planned and executed, carried the trade away back into the interior, from the very shores of the lakes and rivers adjoining the settlements of Canada; and took it round by Hudson's Bay, to keep it out of view, to lessen the chances of a new opposition springing up.

They also gave out that it was their country (a fiction which the license of exclusive trade for the Indian territories helped them to maintain); and they industriously published and circulated maps of it as such, which, being copied into other maps and geographical works, the delusion became very general indeed.

When therefore, by this means, they had been left alone in those remote territories, without any intercourse with the organised tribunals or legitimate government of the country, (an intercourse which their monetary interests forbade them to seek), it became a sort of necessity for them to establish a jurisdiction of their own.

It is true that they have gone to an extreme in this matter, which it would be difficult to excuse;

excuse; but in such a case it is hard to take the first step, and be able to stop afterwards. more particularly when it consists in a total antagonism to existing law, or rather in assuming to themselves the functions of constituted authorities, where they legally possess only the rights of subjects and traders in common with the rest of the community. Appendix, No. 8.

But having once assumed and exercised those powers, and thereby made themselves amenable to the laws of the country, it is not to be wondered at that they have sought to justify it on the pretence that they possess the powers of government, which (doubtful at best even in those localities where they have some show of title) are without the least foundation on the banks of the Saskatchewan or Red Rivers.

In thus palliating the tenacity with which the Hudson's Bay Company cling to their fictitious title I may be accused of being their apologist, but I am so only to the extent that, at the present day, their position has become a necessity; for, in so far as they have affected the rights of others, they have rendered themselves liable to the most serious consequences, should any party aggrieved see fit to appeal to the legal tribunals of the country; and it is but natural to suppose that they will endeavour to maintain the fiction long enough to enable them to effect a compromise.

Any number of individuals might associate themselves together for mining, hunting, or agriculture, say at Lake Nipissing or on Anticosti; and finding no legal tribunals there, or within their reach, they might establish a jurisdiction of their own, and execute their judgments. Circumstances may be imagined in which such a course, if resulting from the necessity of their position, might be morally right, though legally wrong; but nothing short of an Act of Indemnity could save them from the consequences, if pursued by those whose rights they had affected.

Such is exactly the position of the Hudson's Bay Company at the Red River, and, for the judgments they have rendered there, they are undoubtedly amenable to be judged by the legally constituted tribunals of this country; and those whom they have condemned or punished, or whose rights or interests they have adjudicated upon, can certainly obtain redress.

And to this extent I would be their advocate, that, in so far as their assumption of jurisdiction has been in a manner a necessity resulting from the acts of former years, the Legislature should pass an Act of Indemnity to shield them from the consequences; the circumstances to be first investigated, however, by a commission appointed by the Government for that purpose.

It may seem presumptuous in me to put the case so strongly in opposition to the general view of their territorial rights; but it is not a matter of opinion, it is a matter of fact. I could have no hesitation to state as a fact, that the county of York and the district of Montreal are not portions of the Company's territory, but the fact that the Red River and Saskatchewan are not in their territory is just as strong and absolute; and the circumstance that the one happens to be better known than the other does not alter the fact in the one case more than the other.

But the generally received view of the subject is but of recent date, and simply the result of the circumstance, that no one in particular has taken any interest in denying it. It is only since the union of the Companies in 1821 that there has been no obstacle to the continuous imposition of the Company's views upon the public, till they ultimately became rather unopposed than accepted; and, in denying it now, I am simply in accord with the highest authorities, whose province it has been to treat the question judicially.

It must be remembered that the Company did not attempt to even enter upon these countries until 104 years after the date of their charter, viz., in 1774; and that they then did so, not as taking possession under their charter, but only to participate in a traffic then in the hands of British subjects trading from Canada in virtue of the conquest or cession of the country, through which, and not in virtue of their charter, the Company also had, of course, a right to trade as British subjects.

A rivalry having been kept up for many years in the trade, and the absurd construction of the charter now contended for having been invented, the attempt to exercise the powers claimed was made by the Company through Lord Selkirk, first theoretically about the years 1811-12, and practically about 1814, by warning off the North-west Company, and obstructing the channel of their trade; and the result was a great deal of strife and bloodshed. In the course of this strife various appeals were made to the provincial and Imperial Governments, and to the legal tribunals, and in every instance the decisions were constructively or directly adverse to the pretensions of the Hudson's Bay Company.

In a despatch to the Governor-general from Earl Bathurst, by order of his Royal Highness the Prince Regent, under date 6th February 1817, I find the following instructions in relation to these events:

"You will also require, under similar penalties, the restitution of all forts, buildings or trading stations, with the property which they contain, which may have been seized or taken possession of by either party, to the party who originally established or constructed the same, and who were possessed of them previous to the recent disputes between the two Companies.

"You will also require the removal of any blockade or impediment by which any party may have attempted to prevent or interrupt the free passage of traders or others of his Majesty's subjects, or the natives of the country, with their merchandise, furs, provisions, and other effects, throughout the lakes, rivers, roads, and every other usual route of commu-

## Appendix, No. 8.

nication heretofore used for the purposes of the fur trade in the interior of North America; and the full and free permission for all persons to pursue their usual and accustomed trade without hindrance or molestation."

And in conclusion, this object is again peremptorily insisted on, viz., "the mutual restoration of all property captured during these disputes, and the freedom of trade and intercourse with the Indians, until the trials now pending can be brought to a judicial decision; and the great question at issue with respect to the rights of the two Companies shall be definitely settled."

The trials then pending, to which the above allusion has reference, were those instituted by Lord Selkirk against the partners and employees of the North-west Company, who had resisted the pretensions of the Hudson's Bay Company, and in consequence of which a battle was fought on the Frog Plains, at the Red River, in which some 20 of the Hudson's Bay people were killed, including the "Governor," as they styled their chief officer. These trials were for murder (some of the parties as principals and some accessories) for arson, robbery (stealing cannon), and other high misdemeanors, and were held in this city, then the town of York, in October 1818, and resulted in the acquittal of all the parties on all the charges, though it was not denied that some of them had been in the battle, in which, however, they contended that they were in defence of their just rights.

These trials were held under the Canada Jurisdiction Act (43 Geo. 3, c. 138), under a commission from Lower Canada; but the jurisdiction under that Act being questioned on the ground that the Frog Plains were in Upper Canada, and therefore not in the territories affected by that Act, the Court was so doubtful on the question of boundary that the charge to the jury directed that, in case of finding the prisoners guilty, they should return a special verdict setting forth that "they could not see from any evidence before them what were the limits of Upper Canada."

The Attorney-general was unable to define these limits, but appealed to the Court to decide, as they were deducible from treaties, Acts of Parliament, and proclamations, &c., and the judgment of the Court was as above stated, the following passage occurring in the charge of the Chief Justice:—

"Mr. Attorney-general has put in evidence the latitude and longitude of the Frog Plains, but he does not put in evidence whether this latitude and longitude be without or within the boundaries of Upper Canada, and I do not know whether from 90° to 100° or 150° from the western limit of Upper Canada."

In other words, the Court could not affirm that Upper Canada had any western limit on this side of the Pacific, and the Court was right; its westerly limit never had been assigned, and absolute evidence of the very nature which the Attorney-general (now Chief Justice) admitted would be proof upon the subject, existed so far as to prove that the province extended beyond the Lake of the Woods, without determining how far beyond; but it was not his duty to quote it, as he was prosecuting for a conviction as directed by a special commission from Lower Canada under a particular Act. An acquittal, however, rendered any special verdict unnecessary, and the question was not therefore further tried on these cases.

I must remark, however, that the question raised was solely whether the scene of the outrages at Red River was in Canada or the Indian territory, not whether it was in Canada or the Hudson's Bay Company's territory. The latter alternative was not even entertained, having been almost entirely ignored on the trials as too manifestly absurd to make any legal fight upon at all.

In short, the case for the defence was based on a justification of resistance to the assumed authority of the Company, whose preposterous pretensions on the Red River with "governors, sheriffs, &c.," were treated with ridicule, though without detracting from the individuals, "Governor" Semple, who was killed, or his predecessor, M'Donnell, who were worthy of the highest respect, though, like many others, imposed upon in the first instance by the specious pretences of the Company and Lord Selkirk.

Other actions and trials were held in Upper Canada, all of which, so far as I have been able to trace them, were adverse to the Hudson's Bay Company.

In February 1819, in this city, William Smith, under-sheriff of the then Western District, obtained 500*l.* damages against Lord Selkirk, then at the head of a large armed force, for resisting him in the execution of a writ of restitution, founded upon a verdict obtained at Sandwich in 1816, and resistance also to a warrant for his Lordship's arrest.

At the same time, Daniel M'Kenzie obtained 1,500*l.* damages for forcible detention, &c., by Lord Selkirk.

Criminal proceedings were also instituted, and a bill of indictment found against Lord Selkirk himself and the leaders of his party, for their illegal transactions in the Western territories; but I have not yet been able to trace up the result of this case, and no doubt much valuable information could be obtained by some one having more time than I have had to hunt up the records of these proceedings.

The latter trials, I believe, were in the ordinary course of procedure of Upper Canada, and not under the special Act for the Indian territories, &c., and the proceedings taken extended to transactions far down the waters descending to Lake Winnipeg.

Having shown the views of the judicial authorities of Upper Canada, I would advert for a moment to those of Lower Canada.

In May 1818 Charles de Reimhard was tried at Quebec for murder committed in 1816 on the River Winnipeg, under the Canada Jurisdiction Act. Exception was taken to the jurisdiction of the Court, on the ground that the locality was not in the Indian territory, but within the limits of Upper Canada.

The Court over-ruled the objection, and decided that the westerly boundary of Upper Canada was a line on the meridian of 88° 50' West from London.

I hardly think that any surveyor, geographer, or delineator of boundaries of any experience or scientific attainments would concur in the decision.

The question would be too long, however, to discuss now, and I shall only say that it was based on the assumption that, of the territory previously belonging to and acquired from France in 1763, only a part was organised as the Province of Quebec, and that the two Provinces of Canada, after the division, were confined to the same limits provided for the former by the Act of 1774. The Court, the Attorney-general, and the counsel for the prisoner alike concurred in the fact that the River Winnipeg was a part of the country previously belonging to France, and ceded by the Treaty of Paris in 1763, and at no stage of the proceedings was the question of its being a part of the Hudson's Bay Company's territories for one moment entertained.

De Reimhard was found guilty, and sentenced to death; but although the Court refused to reconsider its decision, yet the reasoning of Messrs. Stuart & Valliere was so clear, that the judges deemed it expedient that the execution should be delayed till the decision of the Imperial Government could be had upon the question of jurisdiction.

The actual reasons given by the Imperial Government I have not been able to get at; but I know that when the decision was given the prisoner was released, and that the question submitted was that of jurisdiction, as above stated.

I must here remark that notwithstanding the able and convincing arguments of Messrs. Stuart and Valliere, they omitted one point, which the Court would have been obliged, by its own admissions, to have accepted as conclusive against the judgment it gave.

The decision given was based upon the construction put by the Court upon the actual wording of an Act of Parliament, but it was admitted that the country to the west only "came into the possession of the British Crown at the Treaty of Paris in 1763," and it was admitted that the King could by an act of sovereign authority, "have placed that country under the Government of Canada;" it was merely denied that he did do so, not asserted that he could not do it. The counsel for the prisoner did not chance to come upon the commissions of the Governors, or they would have found that there had been such an "act of sovereign authority," distinctly describing that country to the west of the Lake of the Woods as attached to the Government of Canada, and the Court by its own admission must have been bound by it.

I may also remark, that the decision of the Court at Quebec would have made the westerly limit of Upper Canada a long way east of the United States boundary, leaving out the shores of the lake (where we are now selling mining lands) and its westerly tributaries, and has therefore nothing in common with the boundary designated for us by the Hudson's Bay Company, viz., the water-shed of the St. Lawrence, and for which there is no earthly authority except themselves.

On this head, I must advert to one other authority, which is of the highest importance at this moment, when troops are about to be sent to the Red River, and who, if they carry with them the erroneous views which, of late years, have been with some success imposed upon the public by the assiduous promulgation of the Company, may unfortunately be placed in a position of antagonism to the civil power.

There were indeed some troops there, not very many years ago, and no such evil as might be apprehended now resulted; but the circumstances are changed; the scenes of an earlier period may come back if the attempt be made, wholly unsustained by law, to repress a legal right. If such should be the case, it would be unfortunate if Her Majesty's soldiers were found on the wrong side, acting against law; for the subject is now being so well discussed, that the people will know their rights, and will appeal to the legal tribunals and the civil powers of the state to sustain them. Better that military rule prevailed entirely, for then the officers would know their duties and their responsibilities. If they go under the impression that they are to be subject to the supposed civil officers of a self-constituted government, which has no legal existence, they may find themselves called upon to enforce behests which are not law; which are infractions of law; they may be called upon to subdue resistance to illegal acts, to which resistance is a duty and a right; and if for acting on these behests they are ultimately brought before the courts of justice, they will find that they have acted under those whose powers will be treated as a nullity, whose civil offices will be held a mockery. This has been before, this may be so again, if due precaution be not observed; and I state it thus strongly now, because the more it is known, the less will be the chance of its recurrence.

If proper civil officers, magistrates, &c., were appointed by his Excellency the Governor-general for the Red River country, to whom alone the troops could look in case of emergency, as vested with authority, the difficulty and danger would be obviated; for without this there is no authority in that country by, through, or in any person connected with the Hudson's Bay Company, as such, to which any officer or soldier in Her Majesty's service would be justified in yielding obedience.

To revert to the authority upon this subject I was about to quote, it will be remembered that, during the troubles which formerly took place, upon special representations made by Lord Selkirk that he was not safe in proceeding to the Red River settlement, some troops were

Appendix, No. 8. sent with him, and the instructions given to them by order of his Excellency Sir Gordon Drummond are so clear and decisive, that no one can mistake their purport; they were as follows:

Adjutant-General's Office, Quebec,  
17 April 1816.

Sir,

The Earl of Selkirk having represented to the Administrator-in-chief and Commanding General of the Forces, that he has reasons to apprehend that attempts may be made upon his life in the course of the journey through the Indian country which he is about to undertake, his Excellency has, in consequence, been pleased to grant his Lordship a military guard for his personal protection against assassination. This party, which is to consist of two serjeants and 12 rank and file of the regiment De Meuron, is placed under your command, and I am commanded to convey to you the positive prohibition of his Excellency the Lieutenant-general commanding the forces against the employment of this force for any other purpose than the personal protection of the Earl of Selkirk. You are particularly ordered not to engage yourself, or the party under your command, in any disputes which may occur betwixt the Earl of Selkirk and his engagees and employees and those of the North-west Company, or to take any part or share in any affray which may arise out of such disputes.

By such an interference on your part you would not only be disobeying your instructions, but acting in direct opposition to the wishes and intentions of the Government to the countenance, support, and protection of which each party has an equal claim. The Earl of Selkirk has engaged to furnish the party under your command with provisions during the time of your absence. You are on no occasion to separate from your party, but to return with his Lordship, and on no account to suffer yourself, or any of your detachment, to be left at any settlement or post in the Indian country.

These instructions are to be clearly explained to the non-commissioned officers and men in your party.

I have, &c.

Lieutenant Graffeurié,  
De Meuron's Regiment.

(signed) J. Harvey,  
Lieut.-Col. D. A. G.

This is another emphatic declaration that the Government held the Hudson's Bay Company and the Canadian traders as possessed of equal rights, and that Her Majesty's troops at least were not to be used against the one to sustain the ridiculous pretensions of the other. Notwithstanding the stringency of these instructions, however, Lord Selkirk having a number of the disbanded De Meuron soldiers in his pay, it was difficult for the regulars to resist being led along with them to enter upon the North-west Company's property, &c., which involved them in legal difficulties after their return, from which it was not easy to extricate them.

I have confined myself in the foregoing remarks to the Red River and Saskatchewan countries, which were the principal scenes of the disputes which have heretofore called for action; and it will be seen that the imperial authorities, the provincial authorities, the military authorities, and the courts of justice, have all ignored the pretensions of the Hudson's Bay Company as regards these countries.

The great danger in renewing the Company's lease of the Indian territories, however, would be, that they might drop the pretence that the Red River, &c., is covered by their charter, and claim it as part of the Indian territories; a plea which, though erroneous, might be more sustained by technicalities, inasmuch as some of the remote parts of Canada, perfectly understood to be such, have nevertheless sometimes been designated the Indian countries in official documents: I have not referred to the validity of the Company's charter, either to deny or admit it; I merely deny that it has effect on the countries I have spoken of.

In support of this, I have quoted more recent authorities; but for a more particular investigation of their title, its extent and origin, I beg to refer to a report which I wrote for the Commissioner of Crown Lands some months ago, the substance of which appears in the shape of a memorandum in the Return to an Address for certain Papers connected with the Hudson's Bay question. It embodies the view I have entertained for many years, and is the result of much careful study.

Q. Have you made the early and present boundaries of Canada a particular subject of study? If so, state the result?

A. The early boundaries of Canada, or New France, included, I think, the whole of Hudson's Bay; for I find all that part of the country granted to a trading company by the King of France, in a charter somewhat similar, but 43 years earlier than the charter of the Hudson's Bay Company.

I find the country also confirmed by treaty to France, at St. Germans-en-Laye, 38 years before the last-named charter, but the investigation of this part of the subject is fully stated in the memorandum referred to.

I find that, from the Treaty of Utrecht, in 1713, to the Treaty of Paris, in 1763 the boundaries between the French possessions in Canada and the British possessions in Hudson's Bay were not defined. The lines claimed by both parties are distinctly laid down on the map lately prepared by Mr. Devine, in the Crown Lands Department.

Both, it will be seen, give the Red River and Saskatchewan to France, and the line laid down from British authorities is from those least favourable to French pretensions of that period.



All the country south of that line is, of course, what was ceded by France as Canada, in 1763, and was in her undisputed possession up to that time. There was never any westerly limit assigned to Canada either before or since the Treaty of Paris. The French claimed to the Pacific, though they never explored the whole way across; which, however, the Canadians (British and French) were the first to effect after the treaty.

Some British authorities of a more recent date claimed under the Treaty of Utrecht from Hudson's Bay to latitude 49°, as having been so determined by Commissioners, but no such decision was ever given. I have searched every book I could find upon the subject, and have communicated with those who have searched the best libraries of France and England with the same object, but no authority can be found for such a boundary.

Q. What do you know of the soil and climate of the British territories north and west of Lake Superior to the Pacific?

A. I know it in a general way as well as I can know any country that I have never been in. A great deal of it is of the finest character, both with respect to soil and climate; but in such an extent there are, of course, some sterile, rocky, and barren tracts. The immediate shores of Lake Superior are for the most part rockbound; but a conviction I have long entertained, deduced from certain premises, has been sustained by recent proof that an extensive tableland, or flat country, exists in the interior to the north. To the west, after crowning the height of land near the lake, there is a great deal of flat country. From the most westerly British point on Lake Superior to the Red River settlement, the distance in an air line is 350 miles, and there is no reason to apprehend that the average difficulties of making a road the whole way are greater than are ordinarily met with in the interior of Canada.

Both Sir George Simpson and Dr. Rae admit that, from the high lands near Lake Superior, it is a flat country to the Red River; much of the distance, however, is navigable. From the lower end of the Lake of the Woods to the forts of Rainy Lake, is navigable in one reach of 156 miles; thence through Rainy Lake, &c., there is a navigable reach of 77 miles (though some say there is a break, making 44 and 33 miles); thence there are 28 miles, making five navigable reaches, the Winnipeg River being nearly as large as the Ottawa. From the last 28 miles, the distance is about 115 miles to Lake Superior. If the road were made through this tract, the whole country would be easily accessible. There are navigable waters, however, a great part of the last-named distance, though in smaller reaches. I have only given those on which steamers could be used whenever desirable. From the Lake of the Woods to Red River in a direct line, without going round by Lake Winnipeg, is said to be a very fine country, but is not thoroughly explored.

The route above sketched is the nearest and the easiest to be made available for summer travel. It has an immense advantage in distance over the Minnesota route. Taking Detour on Lake Huron as a starting point, common to both routes, we find the direct distances to be from Detour to Pigeon Bay 300, and from Pigeon Bay to Red River, say 356 miles, in all 656 miles. By way of Minnesota, the distances are: Detour to Chicago, 350 miles; Chicago to St. Paul's, 340 miles; and from St. Paul's to Fort Garry, 380 miles; in all 1,070 miles, making a difference of 414 miles in favour of the Lake Superior route through our own territory. The above distances are given in air lines, and would, of course, be considerably increased in actual travel, but there is not the least reason to suppose that they would be more increased by the one route than by the other. Pigeon Bay on Lake Superior is equally accessible, and rather less distant from Lake Huron than Chicago is; but allowing these two points to be equally accessible from the east, when we turn to the west, Fort Garry is 356 miles distant from our own port, and 720 miles distant, *via* St. Paul's, from the American. In other words, starting from Fort Garry, it is about 30 miles further to St. Paul's than to Pigeon Bay, and when you have got to St. Paul's you are about as far from Chicago as you were from Pigeon Bay before you started from the Red River.

To make an excellent waggon road, therefore, clear through from a British port on Lake Superior to Fort Garry on Red River, allowance for curvatures, bringing the distance up to about 400 miles, would take say 95,000 *l*. Such a road, at a cost of 250 *l*. per mile, would immediately transfer the trade from St. Paul's to Lake Superior, would speedily pour in a large population into the country, and would likewise become settled throughout its entire length, with such occasional exceptions, no doubt, as usually occur on the average of road-lines in the interior of Canada. This result is worth millions of money to the people and the trade of this country, and the outlay is comparatively insignificant.

But it is not necessary to make even this outlay to attain the end desired. I have already shown, 260 miles navigable on the route, in three, or at most in four, separate reaches, the data for which I have taken from the actual survey made in 1826, under the Treaty of Ghent.

The navigable parts are not, of course, in a straight line, but they lie very closely in the general direction of the route, and from 25,000 *l*. to 30,000 *l*. expended on the 115 miles from Lake Superior to the first navigable reach referred to, might at once be said to open up the territory. Gradual access might of course be had at a still less cost, by commencing settlement with the ordinary class of free grant roads. The whole route might indeed be made accessible at once, at the cost of a few thousand pounds, by clearing out the portages (over which artillery and military stores have been taken ere now), which have fallen into disuse, and even this much would be beneficial, as it would create trade and travel enough to induce a more general knowledge of the capabilities of the country. I need only add on this head, that my views on this part of the country are derived personally from some who



Appendix, No. 8. have seen it, and from the writings of others, and have recently been confirmed by the evidence of Sir George Simpson and Dr. Rae, who, while manifesting a strong desire to condemn, have afforded the most convincing proofs of the practicability of rendering this route available.

The next point is, that from the impracticable nature of the north shore of Lake Superior, it can only be a summer route, and that it is not therefore desirable to have a British population in these countries, to which access could only be had during winter through the United States.

I admit the inconvenience; but what becomes of Canada altogether in winter? The entire intercourse between it and England is through the States at that season. But it may be said there is another route possible from Halifax to Quebec. Is there, then, no other route possible to Red River?

Fortunately, Dr. Rae has recently thrown some very valuable light upon the subject: He says, that in the interior, behind the rock-bound shores of Lake Superior, the country is low and swampy, having found it rough and broken whenever he got nearer the lake. "Swampy," it must be observed, as used in Canada, conveys an erroneous impression to English readers, who do not know that what is called a "swamp" in Canada is a level tract, with a thicket growing upon it, which keeps the ground damp by keeping out the sun's rays; that there is generally from 6 to 18 inches of rich vegetable mould on the surface, with a pretty stiff clay bottom; that, in short, a Canadian swamp is about the best ground that nature ever made for a railway track. Dr. Rae has not been far enough back at the lower end of Lake Superior to reach such a country, but we have the explorations of gentlemen connected with the lumber trade, a considerable distance into the interior, westward from Lake Temiskamingue, where a very fine level hardwood country is found. I shall not assert anything positive of a route which has not been sufficiently explored or reported upon; but, from all that is known, there is no rational ground for supposing that the route would be in the least more difficult in its natural features, than between Quebec and the Lower Provinces. Such a route is of no immediate necessity, however, until a considerable population shall have grown up to the west.

Having dealt thus fully with the question of the accessibility of the country, I shall be brief in relation to its soil and climate, which are so generally known as to render a refutation of the erroneous statements still sometimes made, by interested parties, or those who are swayed by them, a superfluity.

I have had some communication with parties in England, who take a deep interest in the subject, and have seen a great part of the evidence taken, by the Committee of the House of Commons before which it has been lately undergoing investigation.

The evidence given on that occasion on behalf of the Hudson's Bay Company, must ultimately become a subject of deep regret to those whose names are associated with it. But it must soon, I presume, become public, and I need not now anticipate the reception it must then meet with.

I will only advert to a few points to elucidate my remarks upon the soil and climate of the country. Sir George Simpson admits what everybody knows, that the climate on the same parallel of latitude improves to the west.

I am aware that wheat grown in Eastern Canada, north of the 48th parallel of latitude, obtained honourable mention as ranking next after the prize wheat at the World's Exhibition in Paris. The Rainy Lake River is also between the 48th and 49th parallels of latitude; but there, Sir George tells the Committee that the ground behind the immediate bank of the river is permanently frozen. Thus between the same parallels of latitude we find one point, on the east, at which we know that the best of wheat can be grown, and another point, 1,300 miles due west of it, where, while he says that the climate improves by westing, Sir George informs the Committee that we have reached the regions of perpetual frost.

Colonel Lefroy also says that the climate ameliorates to the westward, but yet that in the country from Lake Superior west to the Rocky Mountains both soil and climate are adverse to settlement. His proofs are curious, however. He says wheat has been raised with success at Fort Cumberland. Now Fort Cumberland is upwards of 300 miles due north of the boundary.

Following the same meridian due south, therefore, there must be one of the finest wheat-growing countries imaginable; at least a due north and south line of upwards of 300 miles in this part of the world would reach from a very fine to a very indifferent wheat-growing country; he says also that horses live out and find their own food all winter on the north branch of the Saskatchewan, and that the buffalo gets very fat in winter.

He says that barley is the only cereal that can be grown with success at Fort Simpson; but this being about 62° north latitude (he mistakes in calling it 58°), the climate on the same meridian at 49° must be magnificent. The fact is that those who have given evidence for the Company speak of the territories from Lake Superior to the Rocky Mountains, and from latitude 49° to the Polar Regions, as a whole; and thus it is that Fort Simpson is dragged in to prove the unfitness of the country generally for agriculture; whereas the fact that nothing better than barley can be grown at Archangel might as well be adduced to prove that wheat would not succeed in Poland, or the fairest portions of Germany, or the inhospitable climate of Lapland, made an argument against the cultivation of the British Islands. Colonel Lefroy, indeed, condemns both soil and climate, and attributes the success of agriculture at Fort Simpson to the fact of the farm being on an island formed by alluvial deposit. If, then, the accident of an island of alluvial soil, in latitude 62°, found a climate genial enough to make "farming unusually successful," with "very fine timber," though the

the "largest trees seldom exceed three feet in diameter," no language of mine could convey a stronger disproof of the evidence given by the same gentleman against the climate as a whole, including 13 degrees further south, and the same proximity to the Pacific as Fort Simpson.

Respecting my own opinions upon the subject, from having read what has been written by indifferent parties upon it, I think the nature of the climate is just as well established as that of the climate of Europe and Asia is; it is affected by the same causes precisely, varied in a greater or less degree, in different localities, by circumstances peculiar to each.

The west side of the continent of Europe and Asia is warmer on the same parallel of latitude than the east side, because the west has an ocean to the windward of it, the prevailing winds being westerly.

The cause and effect are precisely the same on the continent of America, only in a somewhat greater degree, from having a larger and a warmer ocean to the windward of it, and a colder sea to chill its eastern shores.

The greater coldness of the North Atlantic, on the eastern shores of America, is caused by the mass of ice that annually drives southward through Davis's Straits. I believe there are no such icebergs reach the same latitudes in the Pacific.

The isothermal lines of equal temperature run further north, therefore, on the west coast of America on the Pacific than on the west coast of Europe on the Atlantic.

The observations upon which the fact is based are concurred in by all disinterested authorities; against such testimony the evidence of the few interested in the Hudson's Bay Company, or their friends, is entirely valueless.

Assuming, however, that equal latitude gives only the same mean temperature on the west coast of America as on the west coast of Europe, we find that some of the finest countries in the world lie between the 49th and 60th parallels, including the whole of the British Islands.

The 60th parallel of north latitude passes through Christiana, in Norway, a little north of Stockholm, the capital of Sweden, and through St. Petersburg, but in following the same parallel through Europe and Asia, we come out in the most northerly parts of Kamschatka, which cannot be said to be habitable in the ordinary sense.

There is no barrier in climate, therefore, to a St. Petersburg being at latitude 60° north on the west coast of America, any more than on the west coast of Europe; although on following the same parallel eastward across the continent to the shores of Hudson's Bay, or the confluence of Hudson's and Davis's Straits, we come to countries whose sterile shores and wintry skies forbid the hope of their ever becoming the homes of civilised men, except as hunters and fishers.

The 49th parallel of north latitude passes nearly a degree south of the southernmost point of England, through the environs of Paris, through the southern provinces of Germany, and less than a degree north of Vienna.

There is no reason, therefore, as regards climate, why the lower course of the Fraser, or the upper course of the Columbia, in British territory and in the same latitudes, should not rival the banks of the Rhine, the Meuse, or the Moselle; there is no such reason why the valleys of the Unjiga, the Elk, the Saskatchewan, the Red River, and the Assiniboine, should not yield their golden harvests as rich as those of the Weser, the Elbe, the Oder, or the Vistula.

The geographical affinities between these localities in relation to those influences by which climate is affected are indeed such that it would require some very strong facts, sustained by a concurrence of all the most credible testimony, to prove that the above comparison was too favourable to the places I have named on this continent; the facts established, however, by all disinterested authorities prove the reverse.

What, then, is this immense region, equal in area and in climate to many of the most powerful kingdoms of the Old World, composed of? Bare rock, snow-clad mountains, and sandy plains, or swamps and morasses, are what the friends of the Hudson's Bay Company would have us believe. We find, however, that the construction of this part of the globe is very much like the rest of the world, varying from the primitive to the secondary and tertiary formations, with limestone, coal, &c., in abundance; and to assert that a country of such formation, and with such a climate, is unfit for the abode of man, is simply to assert that the laws of nature are reversed in regard to it.

The Company and their friends, however, try to prove too much. According to Sir George Simpson, immediately to the south of the 49th parallel on the Pacific coast, there is a beautiful country (that being United States' territory), and immediately to the north of that parallel the country is all rock and mountain, "quite unfit for colonisation," that being British territory; indeed, according to him, the 49th parallel forms a sort of natural wall across the continent, that is, not quite across it; for a peculiar feature in his evidence is, that the regions of permanent frost set down south of it at one point, and not the least strange part of this phenomenon is that it just occurs at that point where the parallel of 49° ceases to be the boundary, and the British territory also gets to the south of it, viz., at Rainy River.

Animal life, however, abounds in the country, the buffalo literally "swarm," even according to the evidence submitted by the Company.

The Rocky Mountains have also been referred to, as affecting the climate injuriously by the influence of the perpetual snow upon their summits; but the fact that the snow-clad mountains of other countries do not prevent the valleys from being habitable is a sufficient argument against this; indeed, it is questionable whether the increased reflection of the sun's rays concentrating in the valleys below does not more than compensate for the cold communicated from the snow upon their summits.

Appendix, No. 8. I may remark, in conclusion, that the Lake Superior route to the Red River was not always such a solitude as it is now. The strife between the companies was deplorable in many respects, but the disorder and anarchy could easily have been subdued, indeed was subdued; and could have been so still more readily, had the facilities for access been as great then as now. But it must be remembered that canoe navigation at that time commenced at Lachine, and yet even then there was a great highway, for there was money to be made, and a land worth fighting for lay in the distance. —

The following extract from a work published by a gentleman, who had come across from the Pacific, represents the scene on his arrival at Fort William, on August 16, 1817:—  
 “On inquiry, I ascertained that the aggregate number of those persons in and about the establishment was composed of natives of the following countries, viz.: England, Ireland, Scotland, France, Germany, Italy, Denmark, Sweden, Holland, Switzerland, United States of America, the Gold Coast of Africa, the Sandwich Islands, Bengal, Canada, with various tribes of Indians, and a mixed progeny of Creoles or half-breeds. What a strange medley! There were assembled, on the shores of this inland sea, Episcopalians, Presbyterians, Methodists, sun-worshippers, men from all parts of the world, and whose creeds were ‘wide as the poles asunder,’ united in one common object, and bowing down before the same idol.”—*Ross Cose*, London, 1831.

These were the features of an embryo city, in strange contrast with the desolate and decaying loveliness which the blight of an illegal monopoly has thrown over it to-day. The entrepôt of the trade of half a continent, which but for that blight would at this day have helped to enrich the Canadian people, to fill their canals, and to swell the traffic on their railroads; and it depends upon the action to be taken now how long the incubus is to last.

If I have said anything which may seem harsh or uncalled-for of any one connected with the Hudson's Bay Company, I regret it. I have made my answers hurriedly, and may have used expressions I would recal, as I have had no motive but to show the truth, though I have desired to speak it strongly, for the good of my country, and in the interest of humanity.

### Appendix, No. 9.

Appendix, No. 9. LETTER from *H. Merivale*, Esq., to the Attorney-General and Solicitor-General, with Enclosure.

Sir,

Downing-street, 9 June 1857.

I AM directed by Mr. Secretary Labouchere to transmit to you, jointly with the (Solicitor-General—Attorney-General,) copies of two despatches from the Governor of Canada, enclosing the copy of a minute of his Executive Council, and extract from another minute of the same, in reference to the questions respecting the affairs of the Hudson's Bay Company, now under investigation by a Committee of the House of Commons.

You will observe from the former of these minutes that the Executive Council suggest, on the part of Canada, a territorial claim over a considerable extent of country, which is also claimed by the Hudson's Bay Company, as owners of the soil, and with rights of government and exclusive trade under their charter.

You will observe by the annexed Parliamentary Papers of 12th July, 1850, that the “Statement” of the Hudson's Bay Company's rights as to territory, trade, taxation, and government, made by them to Earl Grey, as Secretary for the Colonies, on the 13th September 1849, was submitted to the then law officers of the Crown, who reported that they were of opinion that the rights so claimed by the Company properly belonged to them; but suggested, at the same time, a mode of testing those claims by petition to Her Majesty, which might be referred to the Judicial Committee.

I am further to annex a Parliamentary Return made in 1842, containing the charter of the Company, and documents relating thereto; and another of 23d April 1849, containing amongst other papers an Act of 2d William and Mary, “for confirming to the Governor and Company trading to Hudson's Bay their privileges and trade.”

The rights so claimed by the Company have been repeatedly questioned since 1850, by private persons in correspondence with the Secretary of State, and are now questioned to a certain extent, as appears by these despatches, by the present local government of Canada.

I am to request that you will, jointly with (Solicitor-general—Attorney-general;) take these papers into your consideration, and report,—

Whether you think that the Crown can lawfully and constitutionally raise, for legal decision, all or either of the following questions:—

The validity at the present day of the charter itself.

The validity of the several claims of territorial right, of government, exclusive trade, and taxation, insisted on by the Company.

The geographical extent of this territorial claim (supposing it to be well founded, to any extent).

If you are of opinion that the Crown can do so, you are requested further to state the proper steps to be taken, in your opinion, by the Crown, and the proper tribunal to be resorted to; and whether the Crown should act on behalf of the local government of Canada, as exercising a delegated share of the Royal authority, or in any other way.

And,

And, lastly, if you should be opinion that the Crown cannot properly so act, whether you see any objection to the questions being raised by the local government of Canada acting independently of the Crown; or whether they can be raised by some private party in the manner suggested by the law advisers in 1850, the Crown undertaking to bear the expense of the proceedings.

Appendix, No. 9.

The Attorney-General.  
The Solicitor-General.

I am, &c.  
(signed) H. Merivale.

Sir,

Lincoln's Inn, July 1857.

We are favoured with Mr. Merivale's letter of the 9th of June ultimo, in which he stated that he was directed by you to transmit to us copies of two despatches from the Governor of Canada, enclosing the copy of a minute of his Executive Council, and extract from another minute of the same, in reference to the questions respecting the affairs of the Hudson's Bay Company, then under investigation by a Committee of the House of Commons.

We were also requested to observe from the former of those minutes that the Executive Council suggest, on the part of Canada, a territorial claim over a considerable extent of country, which is also claimed by the Hudson's Bay Company, as owners of the soil, and with rights of government and exclusive trade under their charter.

We were also requested to observe, by the annexed Parliamentary Papers of 12th July 1850, that the "Statement" of the Hudson's Bay Company's rights as to territory, trade, taxation, and government, made by them to Earl Grey, as Secretary for the Colonies, on the 13th September 1849, was submitted to the then law officers of the Crown, who reported that they were of opinion that the rights so claimed by the Company, properly belonged to them; but suggested, at the same time, a mode of testing those claims by petition to Her Majesty, which might be referred to the Judicial Committee.

Mr. Merivale was further to annex a Parliamentary Return made in 1842, containing the charter of the Company, and documents relating thereto; and another of 23d April 1849, containing, amongst other papers, an Act of 2d William and Mary, "for confirming to the Governor and Company trading to Hudson's Bay their privileges and trade."

The rights so claimed by the Company, had been repeatedly questioned since 1850, by private persons in correspondence with the Secretary of State, and were then questioned to a certain extent, as appears by those despatches, by the present local government of Canada.

Mr. Merivale was also to request that we would take those papers into our consideration, and report,—

Whether we thought the Crown could lawfully and constitutionally raise, for legal decision, all or either of the following questions:

The validity, at the present day, of the charter itself.

The validity of the several claims of territorial right of government, exclusive trade, and taxation insisted on by the Company.

The geographical extent of this territorial claim (supposing it to be well founded, to any extent).

And if we were of opinion that the Crown could do so, we were requested further to state the proper steps to be taken, in our opinion, by the Crown, and the proper tribunal to be resorted to; and whether the Crown should act on behalf of the local government of Canada, as exercising a delegated share of the Royal authority, or in any other way.

And, lastly, if we should be of opinion that the Crown could not properly so act, whether we saw any objection to the questions being raised by the local government of Canada, acting independently of the Crown, or whether they could be raised by some private party in the manner suggested by the law advisers in 1850, the Crown undertaking to bear the expense of the proceedings.

In obedience to your request we have taken the papers into our consideration, and have the honour to report,—

That the questions of the validity and construction of the Hudson's Bay Company's charter cannot be considered apart from the enjoyment that has been had under it during nearly two centuries, and the recognition made of the rights of the Company in various acts, both of the Government and the Legislature.

Nothing could be more unjust, or more opposed to the spirit of our law, than to try this charter as a thing of yesterday, upon principles which might be deemed applicable to it, if it had been granted within the last 10 or 20 years.

These observations, however, must be considered as limited in their application to the territorial rights of the Company under the charter, and to the necessary incidents or consequences of that territorial ownership. They do not extend to the monopoly of trade (save as territorial ownership justifies the exclusion of intruders), or to the right of an exclusive administration of justice.

But we do not understand the Hudson's Bay Company as claiming anything beyond the territorial ownership of the country they are in possession of, and the right, as incident to such ownership, of excluding persons who would compete with them in the fur trade carried on with the Indians resorting to their districts.

With these preliminary remarks we beg leave to state, in answer to the questions submitted to us, that in our opinion the Crown could not now with justice raise the question of the

## Appendix, No. 9.

general validity of the charter; but that on every legal principle the Company's territorial ownership of the lands granted and the rights necessarily incidental thereto (as, for example, the right of excluding from their territory persons acting in violation of their regulations), ought to be deemed to be valid.

But with respect to any rights of government, taxation, exclusive administration of justice, or exclusive trade, otherwise than as a consequence of the right of ownership of the land, such rights could not be legally insisted on by the Hudson's Bay Company as having been legally granted to them by the Crown.

This remark, however, requires some explanation.

The Company has, under the charter, power to make ordinances (which would be in the nature of bye-laws) for the government of the persons employed by them, and also power to exercise jurisdiction in all matters, civil and criminal; but no ordinance would be valid that was contrary to the common law, nor could the Company insist on its right to administer justice as against the Crown's prerogative right to establish courts of civil and criminal justice within the territory.

We do not think, therefore, that the charter should be treated as invalid, because it professes to confer these powers upon the Company; for to a certain extent they may be lawfully used, and for an abuse of them the Company would be amenable to law.

The remaining subject of consideration is the question of the geographical extent of the territory granted by the charter, and whether its boundaries can in any and what manner be ascertained. In the case of grants of considerable age, such as this charter, when the words, as is often the case, are indefinite or ambiguous, the rule is, that they are construed by usage and enjoyment, including in these latter terms the assertion of ownership by the Company on important public occasions, such as the Treaties of Ryswick and Utrecht, and again in 1750.

To these elements of consideration upon this question must be added the inquiry (as suggested by the following words of the charter, viz. "not possessed by the subjects of any other Christian prince or state"), whether, at the time of the charter, any part of the territory now claimed by the Hudson's Bay Company could have been rightfully claimed by the French, as falling within the boundaries of Canada, or Nouvelle France, and also the effect of the Acts of Parliament passed in 1774 and 1791.

Under these circumstances, we cannot but feel that the important question of the boundaries of the territory of the Hudson's Bay Company, might with great utility, as between the Company and Canada, be made the subject of a quasi-judicial inquiry.

But this cannot be done except by the consent of both parties, namely, Canada and the Hudson's Bay Company, nor would the decision of a Committee of the Privy Council have any effect as a binding judicial determination.

But if the Hudson's Bay Company agreed to the proposal of the Chief Justice of Canada, that the question of boundaries should be referred to the Privy Council, it being further understood by both parties, that the determination of the Council shall be carried into effect by a declaratory Act of Parliament, we think the proceeding would be the best mode of determining that which is, or ought to be, the only real subject of controversy.

The form of procedure might be a petition to the Queen by Chief Justice Draper, describing himself as acting under the direction of the Executive Council of Canada; unless, which would be the more solemn mode, an address were presented to Her Majesty by the Canadian Parliament.

Counsel would be heard on behalf of Canada and of the Company.

We are, &c.

(signed) *Richard Bethell.*  
*Henry S. Keating.*

The Right Honourable  
H. Labouchere, M. P., &c. &c.

## Appendix, No. 10.

## Appendix, No. 10.

LETTER from the Right Honourable *H. Labouchere*, M. P., to the Chairman of the Hudson's Bay Company.

Sir,

Colonial Office, 15 July 1857.

In a statement which I have received from the law officers of the Crown there is the following passage:

"The remaining subject of consideration is the question of the geographical extent of the territory granted by the charter, and whether its boundaries can in any and what manner be ascertained. In the case of grants of considerable age, such as this charter, when the words, as is often the case, are indefinite and ambiguous, the rule is that they are construed by usage and enjoyment, including in these latter terms the assertion of ownership by the Company on important public occasions, such as the Treaties of Ryswick and Utrecht, and again in 1750.

"To

"To these elements of consideration upon this question, must be added the inquiry (as suggested by the following words of the charter, viz. 'not possessed by the subjects of any other Christian prince or state'), whether, at the time of the charter, any part of the territory now claimed by the Hudson's Bay Company could have been rightfully claimed by the French, as falling within the boundaries of Canada, or Nouvelle France, and also the effect of the Acts of Parliament passed in 1774 and 1791. Appendix, No. 10.

"Under these circumstances, we cannot but feel that the important question of the boundaries of the territory of the Hudson's Bay Company might, with great utility, as between the Company and Canada, be made the subject of a quasi-judicial inquiry.

"But this cannot be done except by the consent of both parties, namely, Canada and the Hudson's Bay Company, nor would the decision of a Committee of the Privy Council have any effect as a binding judicial determination.

"But if the Hudson's Bay Company agreed to the proposal of the Chief Justice of Canada, that the question of boundaries should be referred to the Privy Council, it being further understood by both parties, that the determination of the Council shall be carried into effect by a declaratory Act of Parliament, we think the proceeding would be the best mode of determining that which is, or ought to be, the only real subject of controversy.

"The form of procedure might be a petition to the Queen by Chief Justice Draper, describing himself as acting under the direction of the Executive Council of Canada; unless, which would be the more solemn mode, an address were presented to Her Majesty by the Canadian Parliament.

"Counsel would be heard on behalf of Canada and of the Company."

I should be glad to hear whether you think it probable that the Hudson's Bay Company would consent to appear before the Judicial Committee of the Privy Council in the manner and for the purpose here suggested, as it may be for the convenience of the Committee of the House of Commons now sitting that this point should be ascertained.

I am, &c.  
(signed) H. Labouchere.

LETTER from the Chairman of the Hudson's Bay Company to the Right Honourable  
H. Labouchere, M. P.

Sir,

Hudson's Bay House, 18 July 1857.

I HAVE the honour to acknowledge the receipt of your letter of the 15th instant, communicating a passage from the statement you have received from the law officers of the Crown, in reference to the question of the geographical extent of the territory granted by the charter of the Hudson's Bay Company, and suggesting that such question might with great utility, as between the Company and Canada, be made the subject of a quasi-judicial inquiry, and desiring to be informed whether I think it probable that the Hudson's Bay Company would consent to appear before the Judicial Committee of the Privy Council, in the manner and for the purpose suggested.

I have submitted this communication to my colleagues, the Directors of the Hudson's Bay Company, and as we are desirous to throw no obstacle in the way of settlement of the doubts that have been raised by the people of Canada as to the extent of the territory to which the Company are entitled under their charter, we shall be prepared to recommend to our shareholders to concur in the course suggested. At the same time you will not fail to see that other interests than those of the Company may be involved in the inquiry, as there are many persons not now members of the Company, who have acquired, by grants from the Company or otherwise, a title to large portions of the land in question.

Assuming, however, that the object of the proposed inquiry is to obtain for Canada land fit for cultivation and the establishment of agricultural settlers, I would observe that the Directors are already prepared to recommend to the shareholders of the Company to cede any lands which may be required for that purpose. The terms of such cessions would be a matter of no difficulty between Her Majesty's Government and the Company.

The Board having in view the present condition of the inquiry before the Committee of the House of Commons, and the agitation which prevails on the question in Canada, are desirous of availing themselves of the opportunity your letter affords to state clearly for your information the principles which will guide them in their future proceedings.

The Board will be ready to bow to any decision which Her Majesty's Government may consider it for the public interests to take with regard to the maintenance or abolition of the exceptional rights and trade of the Hudson's Bay Company, relying confidently on the justice of Her Majesty's Government and of Parliament for just compensation to the present stockholders, and a due consideration of the claims of their factors, traders, and servants in the Indian country, if the time shall have arrived, in the opinion of Her Majesty's Government, for the abolition of the monopoly.

The present holders of the capital of the Company, 274 in number, are of the usual class of persons holding stock in other chartered companies, who have invested their money on the faith of the Company's charter, and in confidence of the permanent character of their rights and property, and are in general indifferent to any other question in the present discussion than the security of their capital and dividends.

The situation of the factors, traders, and servants of the Company is described in the evidence taken before the Committee. As no change in the condition or settlement of

Appendix, No. 10. the country could well be carried into effect without their willing co-operation and assistance, their just claims must be considered in any new arrangements to be submitted to Parliament.

As respects the Board of Directors, of which I have the honour to be chairman, their situation is peculiar, and their future conduct must be guided by the disposition of Her Majesty's Government to support them in the future administration of their affairs. They have been rewarded so far since the union of the Hudson's Bay and North West Companies, by the success of their administration, as proved not alone by the results of their trade, but by the condition in which they will leave, if they now retire, the government of the whole Indian territories entrusted to their care, as well as by the expressed approbation of every succeeding Secretary of State for the Colonies for the last 37 years.

Looking to the future, they will only consent to undertake the further charge of the Indian territories, which would devolve upon them on the renewal of the licence, on the faith of being firmly supported by Her Majesty's Government in maintaining their present establishments in full efficiency. It would be inexpedient, in their opinion, to enter upon a new and further term of their administration, without the fullest and most explicit assurance of that support. The Directors have always considered that the settlement of 1821 was sanctioned by the Government and the Legislature, and the monopoly of the Hudson's Bay Company then re-established and extended, quite as much, if not more, as the best instrument the Government could employ for the administration, security, and peace of the Indian country, as for the advantage of the parties whose interests were united by that settlement. These parties and these interests have been long since replaced by others, and are now represented by the present holders of the stock of the Company.

We do not consider any further legislative measures necessary at present for the Government of the Indian territories. The powers under the charter have hitherto proved sufficient for the ordinary purposes of administration, and the Government have full powers, under the Act of 1821, to appoint justices and establish courts, independent of the Company, when and where they shall think it expedient. All new establishments of this description will create expense, which must be paid by this country or by Canada, as neither the Red River Settlement nor the Indian country have taxable means for the purpose.

We beg to be allowed to add the expression of our opinion, that in whatever arrangements which may be now made for the future government of the country, any mixed authority or combination of agents appointed to act with those of the Company will only weaken an administration which it is essential to strengthen in the present state of affairs.

No competent persons would be found to abandon civilised life to accept such situations, with such salary as will be found reasonable; and if they could be found, the probability is that the want of sufficient occupation will soon engage them in antagonistic discussions with one another, not conducive to the general order or cordiality of the small community whose affairs they will be sent to direct.

The Board is willing to remain in the exercise of its present functions; to concur in any arrangements proposed by Government or Parliament, which will not interfere with or obstruct their power of independent management of the concerns of the Company; and to give assistance and support to any magistrates appointed by the Government in endeavouring to maintain the present undisturbed state of the Indian territories; but they will decline to undertake a divided administration, or accept the responsibility of carrying on the Government of the country, under the exceptional circumstances of the case, unless assured of the same cordial and unhesitating support from Her Majesty's Government which they have hitherto enjoyed.

I have, &c.  
(signed) *John Shepherd,*  
Governor.

Appendix, No. 11.

HUDSON'S BAY COMPANY.

COPY of the existing CHARTER or GRANT by the CROWN to the HUDSON'S BAY COMPANY; together with Copies or Extracts of the CORRESPONDENCE which took place at the last Renewal of the Charter between the Government and the Company, or of Individuals on behalf of the Company; also, the Dates of all former Charters or Grants to that Company.

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SCHEDULE.

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Appendix, No. 11.

## HUDSON'S BAY COMPANY.

Copy of a LETTER from the Governor of the Hudson's Bay Company to Lord Stanley.

My Lord,

Hudson's Bay House, London, 8 June 1842.

Letter from the  
Governor of the  
Hudson's Bay Com-  
pany to Lord Stan-  
ley, 8 June 1842.

I HAVE the honour to acknowledge receipt of Mr. G. W. Hope's letter of the 4th instant, enclosing, by direction of your Lordship, copy of an Address of the House of Commons for certain papers relating to the Hudson's Bay Company; and requesting that you may be furnished, for presentation to the House, with a copy of the existing Charter or Grant by the Crown to the Company, together with a list of the dates of all former Charters or Grants to them.

(A.)

In compliance with your Lordship's request, I herewith hand a printed copy of the first and only Charter for incorporating the Hudson's Bay Company, granted by his Majesty King Charles the Second in the year 1670; together with copy of the License given to the Company by Her Majesty, on the 30th May 1838 (under the provisions of the Act 1 & 2 Geo. 4, c. 66), of the exclusive trade with the Indians in such parts of North America as are not part of the lands or territories granted to the Company by their Charter, and not forming any of Her Majesty's provinces in North America, or of any lands or territories belonging to the United States of America or other foreign power.

(B.)

The Grant of exclusive trade was first made, on the 6th December 1821, to "The Governor and Company of Adventurers of England trading to Hudson's Bay," in conjunction with William M'Gillivray, of Montreal, in the province of Lower Canada, esquire, Simon M'Gillivray, of Suffolk-lane, in the city of London, merchant, and Edward Ellice, of Spring-gardens, in the county of Middlesex, esquire."

These gentlemen subsequently surrendered their interest to the Hudson's Bay Company, to whom her Majesty was pleased to make the Grant of 1838.

I have, &amp;c.

(signed) J. H. Pelly, Governor.

Enclosure (A.).

THE ROYAL CHARTER for incorporating the HUDSON'S BAY COMPANY, granted by his Majesty King CHARLES the Second, in the 22d year of his reign, A. D. 1670.

Preamble.

CHARLES THE SECOND, by the grace of God King of England, Scotland, France and Ireland, Defender of the Faith, &c., To ALL to whom these presents shall come, greeting: WHEREAS our dear and entirely beloved Cousin, Prince Rupert, Count Palatine of the Rhine, Duke of Bavaria and Cumberland, &c.; Christopher Duke of Albemarle, William Earl of Craven, Henry Lord Arlington, Anthony Lord Ashley, Sir John Robinson, and Sir Robert Vyner, Knights and Baronets; Sir Peter Colleton, Baronet; Sir Edward Hungerford, Knight of the Bath; Sir Paul Neele, Knight; Sir John Griffith and Sir Philip Carteret, Knights; James Hayes, John Kirke, Francis Millington, William Prettyman, John Fenn, Esquires; and John Portman, Citizen and Goldsmith of London; have, at their own great cost and charges, undertaken an expedition for Hudson's Bay, in the north-west part of America, for the discovery of a new passage into the South Sea, and for the finding some trade for furs, minerals and other considerable commodities, and by such their undertaking have already made such discoveries as do encourage them to proceed further in pursuance of their said design, by means whereof there may probably arise very great advantage to us and our kingdom: AND WHEREAS the said Undertakers, for their further encouragement in the said design, have humbly besought us to incorporate them, and grant unto them and their successors the sole trade and commerce of all those seas, straits, bays, rivers, lakes, creeks and sounds, in whatsoever latitude they shall be, that lie within the entrance of the straits, commonly called Hudson's Straits, together with all the lands, countries and territories upon the coasts and confines of the seas, straits, bays, lakes, rivers, creeks and sounds aforesaid, which are not now actually possessed by any of our subjects, or by the subjects of any other Christian Prince or State: NOW KNOW YE, that we, being desirous to promote all endeavours tending to the public good of our people, and to encourage the said undertaking, HAVE, of our especial grace, certain knowledge and mere motion, given, granted, ratified and confirmed, and by these presents, for us, our heirs and successors, do give, grant, ratify and confirm, unto our said Cousin, Prince Rupert, Christopher Duke of Albemarle, William Earl of Craven, Henry Lord Arlington, Anthony Lord Ashley, Sir John Robinson, Sir Robert Vyner, Sir Peter Colleton, Sir Edward Hungerford, Sir Paul Neele, Sir John Griffith and Sir Philip Carteret, James Hayes, John Kirke, Francis Millington, William Prettyman, John Fenn and John Portman, that they, and such others as shall be admitted into the said society as is hereafter expressed, shall be one body corporate and politic, in deed and in name,

Grant of incorporation.

Names of original grantees.

name, by the name of "The Governor and Company of Adventurers of England trading into Hudson's Bay," and them by the name of "The Governor and Company of Adventurers of England trading into Hudson's Bay," one body corporate and politic, in deed and in name, really and fully for ever, for us, our heirs and successors, we do make, ordain, constitute, establish, confirm and declare by these presents, and that by the same name of Governor and Company of Adventurers of England trading into Hudson's Bay, they shall have perpetual succession, and that they and their successors, by the name of "The Governor and Company of Adventurers of England trading into Hudson's Bay," be, and at all times hereafter shall be, personable and capable in law to have, purchase, receive, possess, enjoy and retain lands, rents, privileges, liberties, jurisdictions, franchises and hereditaments, of what kind, nature or quality soever they be, to them and their successors; and also to give, grant, demise, alien, assign and dispose lands, tenements and hereditaments, and to do and execute all and singular other things, by the same name that to them shall or may appertain to do; and that they and their successors, by the name of "The Governor and Company of Adventurers of England trading into Hudson's Bay," may plead and be impleaded, answer and be answered, defend and be defended, in whatsoever courts and places, before whatsoever judges and justices, and other persons and officers, in all and singular actions, pleas, suits, quarrels, causes and demands whatsoever, of whatsoever kind, nature or sort, in such manner and form as any other our liege people of this our realm of England, being persons able and capable in law, may or can have, purchase, receive, possess, enjoy, retain, give, grant, demise, alien, assign, dispose, plead, defend and be defended, do, permit and execute; and that the said Governor and Company of Adventurers of England trading into Hudson's Bay, and their successors, may have a common seal to serve for all the causes and businesses of them and their successors, and that it shall and may be lawful to the said Governor and Company, and their successors, the same seal, from time to time, at their will and pleasure, to break, change, and to make anew or alter, as to them shall seem expedient: AND FURTHER WE WILL, and by these presents, for us, our heirs and successors, we do ordain, that there shall be from henceforth one of the same Company to be elected and appointed in such form as hereafter in these presents is expressed, which shall be called the Governor of the said Company; and that the said Governor and Company shall or may elect seven of their number, in such form as hereafter in these presents is expressed, which shall be called the Committee of the said Company, which Committee of seven, or any three of them, together with the Governor or Deputy Governor of the said Company for the time being, shall have the direction of the voyages of and for the said Company, and the provision of the shipping and merchandizes thereunto belonging, and also the sale of all merchandizes, goods and other things returned, in all or any the voyages or ships of or for the said Company, and the managing and handling of all other business, affairs and things belonging to the said Company: AND WE WILL, ordain and grant by these presents, for us, our heirs and successors, unto the said Governor and Company, and their successors, that they the said Governor and Company, and their successors, shall from henceforth for ever be ruled, ordered and governed according to such manner and form as is hereafter in these presents expressed, and not otherwise; and that they shall have, hold, retain and enjoy the grants, liberties, privileges, jurisdictions and immunities only hereafter in these presents granted and expressed, and no other: And for the better execution of our will and grant in this behalf; WE HAVE ASSIGNED, nominated, constituted and made, and by these presents, for us, our heirs and successors, we do ASSIGN, nominate, constitute and make our said Cousin, PRINCE RUPERT, to be the first and present Governor of the said Company, and to continue in the said office from the date of these presents until the 10th November then next following, if he, the said Prince Rupert, shall so long live, and so until a new Governor be chosen by the said Company in form hereafter expressed: AND ALSO WE HAVE assigned, nominated and appointed, and by these presents, for us, our heirs and successors, we do assign, nominate and constitute, the said Sir John Robinson, Sir Robert Vyner, Sir Peter Colleton, James Hayes, John Kirke, Francis Millington and John Portman to be the seven first and present Committees of the said Company, from the date of these presents until the said 10th day of November then also next following, and so until new Committees shall be chosen in form hereafter expressed: AND FURTHER WE WILL and grant by these presents, for us, our heirs and successors, unto the said Governor and Company, and their successors, that it shall and may be lawful to and for the said Governor and Company for the time being, or the greater part of them present at any public assembly, commonly called the Court General, to be holden for the said Company, the Governor of the said Company being always one, from time to time to elect, nominate and appoint one of the said Company to be Deputy to the said Governor, which Deputy shall take a corporal oath, before the Governor and three or more of the Committee of the said Company for the time being, well, truly and faithfully to execute his said office of Deputy to the Governor of the said Company, and after his oath so taken shall and may from time to time, in the absence of the said Governor, exercise and execute the office of Governor of the said Company, in such sort as the said Governor ought to do: AND FURTHER WE WILL and grant by these presents, for us, our heirs and successors, unto the said Governor and Company of Adventurers of England trading into Hudson's Bay, and their successors that they, or the greater part of them, whereof the Governor for the time being or his Deputy to be one, from time to time, and at all times hereafter, shall and may have authority and power, yearly and every year, between the first and last day of November, to assemble and meet together in some convenient place, to be appointed from time to time by the Governor, or in his absence by the Deputy of the said Governor for the time being, and that they being so assembled, it shall and may be lawful to and for the said

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Body corporate to be styled "The Governor and Company of Adventurers of England trading into Hudson's Bay."

Rights and privileges, &c. of the Governor and Company.

Grant of a common seal.

A Governor and Committee to be chosen.

Prince Rupert to be the first Governor.

Names of the first Committee.

Power to elect a Deputy Governor.

Oath to be administered to him.

Future Governors, how elected.

Governor

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Oath to be administered to them,

and to each member of the Company.

Annual election of a new Committee.

Oath to be administered to the Committee.

Vacancies in the office of Governor and Deputy Governor, how filled up.

Governor or Deputy Governor may be removed,

and others elected.

Members of the Committee may be removed,

and others elected.

Governor or Deputy of the said Governor, and the said Company for the time being, or the greater part of them, which then shall happen to be present, whereof the Governor of the said Company or his Deputy for the time being to be one, to elect and nominate one of the said Company, which shall be Governor of the said Company for one whole year then next following, which person being so elected and nominated to be Governor of the said Company as is aforesaid, before he be admitted to the execution of the said office, shall take a corporal oath before the last Governor, being his predecessor or his Deputy, and any three or more of the Committee of the said Company for the time being, that he shall from time to time well and truly execute the office of Governor of the said Company in all things concerning the same; and that immediately after the same oath so taken, he shall and may execute and use the said office of Governor of the said Company for one whole year from thence next following: And in like sort we will and grant, that as well every one of the above-named to be of the said Company or Fellowship, as all others hereafter to be admitted or free of the said Company, shall take a corporal oath before the Governor of the said Company or his Deputy for the time being to such effect as by the said Governor and Company, or the greater part of them, in any public court to be held for the said Company, shall be in reasonable and legal manner set down and devised, before they shall be allowed or admitted to trade or traffic as a freeman of the said Company: AND FURTHER WE WILL and grant by these presents, for us, our heirs and successors, unto the said Governor and Company, and their successors, that the said Governor or Deputy Governor, and the rest of the said Company, and their successors, for the time being, or the greater part of them, whereof the Governor or Deputy Governor from time to time to be one, shall and may from time to time, and at all times hereafter, have power and authority, yearly and every year, between the first and last day of November, to assemble and meet together in some convenient place, from time to time, to be appointed by the said Governor of the said Company, or in his absence by his Deputy; and that they being so assembled, it shall and may be lawful to and for the said Governor or his Deputy, and the Company for the time being, or the greater part of them, which then shall happen to be present, whereof the Governor of the said Company or his Deputy for the time being to be one, to elect and nominate seven of the said Company, which shall be a Committee of the said Company for one whole year from then next ensuing, which persons being so elected and nominated to be a Committee of the said Company as aforesaid, before they be admitted to the execution of their office, shall take a corporal oath before the Governor or his Deputy, and any three or more of the said Committee of the said Company, being their last predecessors, that they and every of them shall well and faithfully perform their said office of Committees in all things concerning the same, and that immediately after the said oath so taken, they shall and may execute and use their said office of Committees of the said Company for one whole year from thence next following: AND MOREOVER, our will and pleasure is, and by these presents, for us, our heirs and successors, WE DO GRANT unto the said Governor and Company, and their successors, that when and as often as it shall happen, the Governor or Deputy Governor of the said Company for the time being, at any time within one year after that he shall be nominated, elected and sworn to the office of the Governor of the said Company, as is aforesaid, to die or to be removed from the said office, which Governor or Deputy Governor not demeaning himself well in his said office, WE WILL to be removable at the pleasure of the rest of the said Company, or the greater part of them which shall be present at their public assemblies, commonly called their General Courts, holden for the said Company, that then and so often it shall and may be lawful to and for the residue of the said Company for the time being, or the greater part of them, within a convenient time after the death or removing of any such Governor or Deputy Governor, to assemble themselves in such convenient place as they shall think fit, for the election of the Governor or Deputy Governor of the said Company; and that the said Company, or the greater part of them, being then and there present, shall and may, then and there, before their departure from the said place, elect and nominate one other of the said Company to be Governor or Deputy Governor for the said Company, in the place and stead of him that so died or was removed; which person being so elected and nominated to the office of Governor or Deputy Governor of the said Company, shall have and exercise the said office for and during the residue of the said year, taking first a corporal oath, as is aforesaid, for the due execution thereof; and this to be done from time to time so often as the case shall so require: AND ALSO, our will and pleasure is, and by these presents, for us, our heirs and successors, WE DO grant unto the said Governor and Company, that when and as often as it shall happen any person or persons of the Committee of the said Company for the time being, at any time within one year next after that they or any of them shall be nominated, elected and sworn to the office of Committee of the said Company as is aforesaid, to die or to be removed from the said office, which Committees not demeaning themselves well in their said office, we will to be removable at the pleasure of the said Governor and Company, or the greater part of them, whereof the Governor of the said Company for the time being or his Deputy to be one, that then and so often, it shall and may be lawful to and for the said Governor, and the rest of the Company for the time being, or the greater part of them, whereof the Governor for the time being or his Deputy to be one, within convenient time, after the death or removing of any of the said Committee, to assemble themselves in such convenient place as is or shall be usual and accustomed for the election of the Governor of the said Company; or where else the Governor of the said Company for the time being or his Deputy shall appoint: And that the said Governor and Company, or the greater part of them, whereof the Governor for the time being or his Deputy to be one, being then and there

there present; shall and may, then and there; before their departure from the said place, elect and nominate one or more of the said Company to be of the Committee of the said Company in the place and stead of him or them that so died, or were or was so removed, which person or persons so nominated and elected to the office of Committee of the said Company shall have and exercise the said office for and during the residue of the said year, taking first a corporal oath, as is aforesaid, for the due execution thereof, and this to be done from time to time; so often as the case shall require: And to the end the said Governor and Company of Adventurers of England trading into Hudson's Bay may be encouraged to undertake and effectually to prosecute the said design, of our more especial grace, certain knowledge and mere motion, WE HAVE given, granted and confirmed, and by these presents, for us, our heirs and successors, do give, grant and confirm, unto the said Governor and Company, and their successors, the sole trade and commerce of all those seas, straits, bays, rivers, lakes, creeks, and sounds, in whatsoever latitude they shall be, that lie within the entrance of the straits, commonly called Hudson's Straits, together with all the lands and territories upon the countries, coasts and confines of the seas, bays, lakes, rivers, creeks and sounds aforesaid, that are not already actually possessed by or granted to any of our subjects, or possessed by the subjects of any other Christian Prince or State, with the fishing of all sorts of fish, whales, sturgeons, and all other royal fishes in the seas, bays, inlets and rivers within the premises, and the fish therein taken, together with the royalty of the sea upon the coasts within the limits aforesaid, and all mines royal, as well discovered as not discovered, of gold, silver, gems and precious stones, to be found or discovered within the territories, limits and places aforesaid, and that the said land be from henceforth reckoned and reputed as one of our plantations or colonies in America, called "Rupert's Land:" AND FURTHER, WE DO by these presents, for us, our heirs and successors, make, create and constitute the said Governor and Company for the time being, and their successors, the true and absolute lords and proprietors of the same territory, limits and places aforesaid, and of all other the premises, SAVING ALWAYS the faith, allegiance and sovereign dominion due to us, our heirs and successors, for the same, TO HAVE, HOLD, possess and enjoy the said territory, limits and places, and all and singular other the premises hereby granted as aforesaid, with their and every of their rights, members, jurisdictions, prerogatives, royalties and appurtenances whatsoever, to them the said Governor and Company, and their successors for ever, TO BE HOLDEN of us, our heirs and successors, as of our manor of East Greenwich, in our county of Kent, in free and common soccage, and not in capite or by Knight's service; YIELDING AND PAYING yearly to us, our heirs and successors, for the same, two elks and two black beavers, whensoever and as often as we, our heirs and successors, shall happen to enter into the said countries, territories and regions hereby granted: AND FURTHER, our will and pleasure is, and by these presents, for us, our heirs and successors, WE DO grant unto the said Governor and Company, and to their successors, that it shall and may be lawful to and for the said Governor and Company, and their successors, from time to time, to assemble themselves, for or about any the matters, causes, affairs or businesses of the said trade, in any place or places for the same convenient, within our dominions or elsewhere, and there to hold court for the said Company, and the affairs thereof; and that, also, it shall and may be lawful to and for them, and the greater part of them, being so assembled, and that shall then and there be present, in any such place or places, whereof the Governor or his Deputy for the time being to be one, to make, ordain and constitute such and so many reasonable laws, constitutions, orders and ordinances as to them, or the greater part of them, being then and there present, shall seem necessary and convenient for the good government of the said Company, and of all governors of colonies, forts and plantations, factors, masters, mariners and other officers employed or to be employed in any of the territories and lands aforesaid, and in any of their voyages; and for the better advancement and continuance of the said trade or traffic and plantations, and the same laws, constitutions, orders and ordinances so made, to put in, use and execute accordingly; and at their pleasure to revoke and alter the same or any of them, as the occasion shall require: And that the said Governor and Company, so often as they shall make, ordain or establish any such laws, constitutions, orders and ordinances, in such form as aforesaid, shall and may lawfully impose, ordain, limit and provide such pains, penalties and punishments upon all offenders, contrary to such laws, constitutions, orders and ordinances, or any of them; as to the said Governor and Company for the time being, or the greater part of them, then and there being present, the said Governor or his Deputy being always one, shall seem necessary, requisite or convenient for the observation of the same laws, constitutions, orders and ordinances; and the same fines and amerciaments shall and may, by their officers and servants from time to time to be appointed for that purpose, levy, take and have, to the use of the said Governor and Company, and their successors, without the impediment of us, our heirs or successors, or of any the officers or ministers of us, our heirs or successors, and without any account therefore to us, our heirs or successors, to be made: All and singular which laws, constitutions, orders and ordinances, so as aforesaid to be made, WE WILL to be duly observed and kept under the pains and penalties therein to be contained; so always as the said laws, constitutions, orders and ordinances, fines and amerciaments, be reasonable, and not contrary or repugnant, but as near as may be agreeable to the laws, statutes or customs of this our realm: AND FURTHERMORE, of our ample and abundant grace, certain knowledge and mere motion, WE HAVE granted, and by these presents, for us, our heirs and successors, do grant unto the said Governor and Company, and their successors, that they and their successors, and their factors, servants and agents, for them and on their behalf, and not other-

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Grant of the sole trade, lands, mines, minerals, fisheries, &c.

The territory to be reckoned one of his Majesty's Plantations or Colonies in America, and called Rupert's Land; and the Governor and Company to be the Lords Proprietors of the same for ever.

Governor and Company may assemble and make laws, ordinances, &c. for the good government of their territory and the advancement of their trade;

and may impose penalties and punishments, provided the same are reasonable, and not repugnant to the laws of England.

Further grant of trade.

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And no subjects of his Majesty to trade within the Company's territories without leave from the Company, in writing, under their common seal.

Under penalty of forfeiting all goods, &c. brought from thence into England.

One-half to go to the King, the other to the Company.

Nor will liberty of such trade be given by his Majesty to any person without consent of the Company.

Persons free of the Company failing to pay the sums respectively engaged to be furnished by them in the Adventure of the Company may be removed and disfranchised.

What persons may be admitted into the Company.

wise, shall for ever hereafter have, use and enjoy, not only the whole, entire and only trade and traffic, and the whole, entire and only liberty, use and privilege of trading and trafficking to and from the territory, limits and places aforesaid; but also the whole and entire trade and traffic to and from all havens, bays, creeks, rivers, lakes and seas, into which they shall find entrance or passage by water or land out of the territories, limits or places aforesaid; and to and with all the natives and people inhabiting, or which shall inhabit within the territories, limits and places aforesaid; and to and with all other nations inhabiting any the coasts adjacent to the said territories, limits and places which are not already possessed as aforesaid, or whereof the sole liberty or privilege of trade and traffic is not granted to any other of our subjects: AND WE, of our further royal favour, and of our more especial grace, certain knowledge and mere motion, HAVE granted, and by these presents, for us, our heirs and successors, do grant to the said Governor and Company, and to their successors, that neither the said territories, limits and places, hereby granted as aforesaid, nor any part thereof, nor the islands, havens, ports, cities, towns or places thereof or therein contained, shall be visited, frequented or haunted by any of the subjects of us, our heirs or successors, contrary to the true meaning of these presents, and by virtue of our prerogative royal, which we will not have in that behalf argued or brought into question: WE STRAIGHTLY charge, command and prohibit for us, our heirs and successors, all the subjects of us, our heirs and successors, of what degree or quality soever they be, that none of them, directly or indirectly, do visit, haunt, frequent or trade, traffic or adventure, by way of merchandize, into or from any of the said territories, limits or places hereby granted, or any or either of them, other than the said Governor and Company, and such particular persons as now be or hereafter shall be of that Company, their agents, factors and assigns, unless it be by the license and agreement of the said Governor and Company in writing first had and obtained, under their common seal, to be granted, upon pain that every such person or persons that shall trade or traffic into or from any of the countries, territories or limits aforesaid, other than the said Governor and Company and their successors, shall incur our indignation, and the forfeiture and the loss of the goods, merchandizes and other things whatsoever, which so shall be brought into this realm, of England, or any the dominions of the same, contrary to our said prohibition, or the purport or true meaning of these presents, for which the said Governor and Company shall find, take and seize in other places out of our dominion, where the said Company, their agents, factors or ministers shall trade, traffic or inhabit by virtue of these our letters patent, as also the ship and ships, with the furniture thereof, wherein such goods, merchandizes and other things shall be brought and found; the one-half of all the said forfeitures to be to us, our heirs and successors, and the other half thereof WE do by these presents clearly and wholly, for us, our heirs and successors, give and grant unto the said Governor and Company, and their successors: AND FURTHER, all and every the said offenders, for their said contempt, to suffer such other punishment as to us, our heirs and successors, for so high a contempt, shall seem meet and convenient, and not to be in anywise delivered until they and every of them, shall become bound unto the said Governor for the time being in the sum of One thousand pounds at the least, at no time then after to trade or traffic into any of the said places, seas, straits, bays, ports, havens or territories aforesaid, contrary to our express commandment in that behalf set down and published: AND FURTHER, of our more especial grace, WE HAVE condescended and granted, and by these presents, for us, our heirs and successors, do grant unto the said Governor and Company, and their successors, that we, our heirs and successors, will not grant liberty, license or power to any person or persons whatsoever, contrary to the tenor of these our letters patent, to trade, traffic or inhabit, unto or upon any the territories, limits or places afore specified, contrary to the true meaning of these presents, without the consent of the said Governor and Company, or the most part of them: AND, of our more abundant grace and favour to the said Governor and Company, WE do hereby declare our will and pleasure to be, that if it shall so happen that any of the persons free or to be free of the said Company of Adventurers of England trading into Hudson's Bay, who shall, before the going forth of any ship or ships appointed for a VOYAGE or otherwise, promise or agree, by writing under his or their hands, to adventure any sum or sums of money towards the furnishing any provision, or maintenance of any voyage or voyages, set forth, or to be set forth, or intended or meant to be set forth, by the said Governor and Company, or the more part of them present at any public assembly, commonly called their General Court, shall not within the space of twenty days next after warning given to him or them by the said Governor or Company, or their known officer or minister, bring in and deliver to the Treasurer or Treasurers appointed for the Company, such sums of money as shall have been expressed and set down in writing by the said person or persons, subscribed with the name of said Adventurer or Adventurers, that then and at all times after it shall and may be lawful to and for the said Governor and Company, or the more part of them present, whereof the said Governor or his Deputy to be one, at any of their General Courts or General Assemblies, to remove and disfranchise him or them, and every such person and persons at their wills and pleasures, and he or they so removed and disfranchised not to be permitted to trade into the countries, territories, and limits aforesaid, or any part thereof, nor to have any adventure or stock going or remaining with or amongst the said Company, without the special license of the said Governor and Company, or the more part of them present at any General Court, first had and obtained in that behalf, any thing before in these presents to the contrary thereof in anywise notwithstanding: AND OUR WILL AND PLEASURE IS, and hereby we do also ordain, that it shall and may be lawful to and for the said Governor and Company, or the greater part of them, whereof the Governor

for

for the time being or his Deputy to be one, to admit into and to be of the said Company all such servants or factors, of or for the said Company, and all such others as to them or the most part of them present, at any court held for the said Company, the Governor or his Deputy being one, shall be thought fit and agreeable with the orders and ordinances made and to be made for the government of the said Company: AND FURTHER, our will and pleasure is, and by these presents for us, our heirs and successors, we do grant unto the said Governor and Company, and to their successors, that it shall and may be lawful in all elections and bye-laws to be made by the General Court of the Adventurers of the said Company, that every person shall have a number of votes according to his stock, that is to say, for every hundred pounds by him subscribed or brought into the present stock, one vote, and that any of those that have subscribed less than One hundred pounds may join their respective sums to make up One hundred pounds, and have one vote jointly for the same, and not otherwise: AND FURTHER, of our especial grace, certain knowledge and mere motion, we do, for us, our heirs and successors, grant to and with the said Governor and Company of Adventurers of England trading into Hudson's Bay, that all lands, islands, territories, plantations, forts, fortifications, factories or colonies, where the said Company's factories and trade are or shall be, within any the ports or places afore said, shall be immediately and from henceforth under the power and command of the said Governor and Company, their successors and assigns: SAVING the faith and allegiance due to be performed to us, our heirs and successors as aforesaid; and that the said Governor and Company shall have liberty, full power and authority to appoint and establish Governors, and all other officers to govern them, and that the Governor and his Council of the several and respective places where the said Company shall have plantations, forts, factories, colonies or places of trade within any the countries, lands or territories hereby granted, may have power to judge all persons belonging to the said Governor and Company, or that shall live under them, in all causes, whether civil or criminal, according to the laws of this kingdom, and to execute justice accordingly; and in case any crime or misdemeanor shall be committed in any of the said Company's plantations, forts, factories or places of trade within the limits aforesaid, where judicature cannot be executed for want of a Governor and Council there, then in such case it shall and may be lawful for the chief Factor of that place and his Council to transmit the party, together with the offence, to such other plantation, factory or fort where there shall be a Governor and Council, where justice may be executed, or into this kingdom of England, as shall be thought most convenient, there to receive such punishment as the nature of his offence shall deserve: AND MOREOVER, our will and pleasure is, and by these presents, for us, our heirs and successors, we do give and grant unto the said Governor and Company, and their successors, free liberty and license, in case they conceive it necessary, to send either ships of war, men or ammunition, unto any their plantations, forts, factories or places of trade aforesaid, for the security and defence of the same, and to choose commanders and officers over them, and to give them power and authority, by commission under their common seal, or otherwise, to continue or make peace or war with any prince or people whatsoever, that are not Christians, in any places where the said Company shall have any plantations, forts or factories, or adjacent thereunto, as shall be most for the advantage and benefit of the said Governor and Company, and of their trade; and also to right and recompense themselves upon the goods, estates or people of those parts, by whom the said Governor and Company shall sustain any injury, loss or damage, or upon any other people whatsoever, that shall any way, contrary to the intent of these presents, interrupt, wrong or injure them in their said trade, within the said places, territories and limits granted by this Charter: And that it shall and may be lawful to and for the said Governor and Company, and their successors, from time to time, and at all times from henceforth, to erect and build such castles, fortifications, forts, garrisons, colonies or plantations, towns or villages, in any parts or places within the limits and bounds granted before in these presents unto the said Governor and Company, as they in their discretion shall think fit and requisite, and for the supply of such as shall be needful and convenient, to keep and be in the same, to send out of this kingdom, to the said castles, forts, fortifications, garrisons, colonies, plantations, towns or villages, all kinds of clothing, provision of victuals, ammunition and implements necessary for such purpose, paying the duties and customs for the same, as also to transport and carry over such number of men, being willing thereunto, or not prohibited, as they shall think fit, and also to govern them in such legal and reasonable manner as the said Governor and Company shall think best, and to inflict punishment for misdemeanors, or impose fines upon them for breach of their orders, as in these presents are formerly expressed: AND FURTHER, our will and pleasure is, and by these presents, for us, our heirs and successors, we do grant unto the said Governor and Company, and to their successors full power and lawful authority to seize upon the persons of all such English, or any other our subjects which shall sail into Hudson's Bay, or inhabit in any of the countries, islands or territories hereby granted to the said Governor and Company, without their leave and license in that behalf first had and obtained, or that shall contravene or disobey their orders, and send them to England; and that all and every person or persons, being our subjects, any ways employed by the said Governor and Company, within any the parts, places and limits aforesaid, shall be liable unto and suffer such punishment for any offences by them committed in the parts aforesaid, as the President and Council for the said Governor and Company there shall think fit; and the merit of the offence shall require, as aforesaid; and in case any person or persons being convicted and sentenced by the President and Council of the said Governor and Company, in the countries, lands or limits aforesaid, their factors

Appendix, No. 11.

Votes to be regulated by quantity of stock.

All lands, &c. aforesaid to be under the government of said Company, who may appoint Governors and other officers to preside within their territories, and judge in all causes, civil and criminal, according to the laws of England;

or criminals may be sent to England for trial.

The Governor and Company may employ, for the protection of their trade and territory, armed force, appoint commanders, erect forts, &c.

Authority given to the Governor and Company to seize any of his Majesty's subjects who (without leave of the Company) trade in their territory, and may send them to England.



Appendix, No. 11.

The Governor and Company may authorise their Presidents, Agents, and others to administer oaths in certain cases.

All Admirals and others his Majesty's officers and subjects, to be aiding and assisting in the execution of the powers, &c. granted by this Charter.

or agents there, for any offence by them done, shall appeal from the same, that then and in such case it shall and may be lawful to and for the said President and Council, factors or agents, to seize upon him or them, and to carry him or them home prisoners into England, to the said Governor and Company, there to receive such condign punishment as his cause shall require, and the law of this nation allow of; and for the better discovery of abuses and injuries to be done unto the said Governor and Company, or their successors, by any servant by them to be employed in the said voyages and plantations, it shall and may be lawful to and for the said Governor and Company, and their respective President, Chief Agent or Governor in the parts aforesaid, to examine upon oath all factors, masters, pursers, supercargoes, commanders of castles, forts, fortifications, plantations or colonies, or other persons, touching or concerning any matter or thing in which by law or usage an oath may be administered, so as the said oath, and the matter therein contained, be not repugnant, but agreeable to the laws of this realm: AND WE do hereby straightly charge and command all and singular our Admirals, Vice-Admirals, Justices, Mayors, Sheriffs, Constables, Bailiffs, and all and singular other our officers, ministers, liege men and subjects whatsoever, to be aiding, favouring, helping and assisting to the said Governor and Company; and to their successors, and to their deputies, officers, factors, servants, assigns and ministers, and every of them, in executing and enjoying the premises, as well on land as on sea, from time to time; when any of you shall thereunto be required; ANY STATUTE, act, ordinance, proviso, proclamation or restraint heretofore had, made, set forth, ordained or provided, or any other matter, cause or thing whatsoever to the contrary in anywise notwithstanding. IN WITNESS WHEREOF we have caused these our Letters to be made Patent. WITNESS OURSELF at Westminster, the second day of May, in the two-and-twentieth year of our reign.

By Writ of Privy Seal.

Pigott.

## Enclosure (B.)

CROWN GRANT to the HUDSON'S BAY COMPANY of the exclusive Trade with the Indians in certain parts of North America, for a further term of Twenty-one Years, and upon the Surrender of a former Grant.

VICTORIA R.

(L. S.)

VICTORIA, by the Grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith.

To all to whom these Presents shall come, greeting :

Enclosure (B.)

WHEREAS, by an Act passed in the Session of Parliament holden in the first and second year of the reign of his late Majesty King George the Fourth, intituled, "An Act for regulating the Fur Trade, and establishing a Criminal and Civil Jurisdiction within certain parts of North America," it was amongst other things enacted, that from and after the passing of the said Act, it should be lawful for his said Majesty, his heirs or successors, to make Grants, or give his or their Royal License, under the hand and seal of one of his or their Principal Secretaries of State, to any body corporate or company, or person or persons, of or for the exclusive privilege of trading with the Indians in all such parts of North America as should be specified in any such Grants or Licenses respectively, not being part of the lands and territories theretofore granted to the Governor and Company of Adventurers of England trading to Hudson's Bay, and not being part of any of our Provinces in North America, or of any lands or territories belonging to the United States of America, and that all such Grants and Licenses should be good, valid and effectual for the purpose of securing to all such bodies corporate, or companies or persons, the sole and exclusive privilege of trading with the Indians in all such parts of North America (except as thereafter excepted) as should be specified in such Grants or Licenses, any thing contained in any Act or Acts of Parliament, or any law to the contrary notwithstanding; and it was further enacted, that no such Grant or License made or given by his said Majesty, his heirs or successors, of any such exclusive privileges of trading with the Indians in such parts of North America as aforesaid, should be made or given for any longer period than 21 years, and that no rent should be required or demanded for or in respect of any such Grant or License; or any privileges given thereby under the provisions of the said Act for the first period of 21 years; and it was further enacted, that from and after the passing of the said Act, the Governor and Company of Adventurers trading to Hudson's Bay, and every body corporate and company and person to whom any such Grant or License should be made or given as aforesaid, should respectively keep accurate registers of all persons in their employ in any parts of North America, and should once in each year return to the Principal Secretaries of State accurate duplicates of such registers, and should also enter into such security as should be required for the due execution of all processes criminal and civil, as well within the territories included within any such Grant, as within those granted by Charter to the Governor and Company of Adventurers of England trading to Hudson's Bay, and for the producing or delivering into safe custody, for the purpose of trial, all persons in their employ or acting under their authority, who should be charged with any criminal offence, and also for the due and faithful observance of all such rules, regulations and stipulations as should be contained in any such Grant or License, either for gradually diminishing and ultimately preventing the sale or distribution of spirituous liquors to the Indians, or for promoting their moral and religious

religious improvement, or for any other object which might be deemed necessary for the remedy or prevention of any other evils which had hitherto been found to exist: And whereas it was in the said Act recited, that by a convention entered into between his said late Majesty and the United States of America, it was stipulated and agreed, that every country on the North-west coasts of America to the westward of the Stony Mountains should be free and open to the citizens and subjects of the two powers for the term of ten years from the date of the signature of that convention; and it was therefore enacted, that nothing in the said Act contained should be deemed or construed to authorise any body corporate, company or person to whom his said Majesty might, under the provisions of the said Act, make or grant or give a License of exclusive trade with the Indians in such parts of North America as aforesaid, to claim or exercise any such exclusive trade within the limits specified in the said article, to the prejudice or exclusion of any citizens of the said United States of America who might be engaged in the said trade; with a proviso, that no British subject should trade with the Indians within such limits without such Grant or License as was by the said Act required:

And whereas by an instrument under the hand and seal of the Right honourable Earl Bathurst, then one of his said late Majesty's Secretaries of State, and dated the 6th day of December 1821, after reciting therein, as or to the effect aforesaid, and also reciting that the said Governor and Company of Adventurers of England trading to Hudson's Bay, and certain associations of persons trading under the name of "The North-west Company of Montreal," had respectively extended the fur trade over many parts of North America which had not been before explored, and that the competition in the said trade had been found, for some years then past, to be productive of great inconvenience and loss, not only to the said Company and Associations, but to the said trade in general, and also of great injury to the native Indians and of other persons his said Majesty's subjects; and that the said Governor and Company of Adventurers trading to Hudson's Bay; and William M'Gillivray of Montreal, in the Province of Lower Canada, esquire; Simon M'Gillivray, of Suffolk-lane, in the city of London, merchant; and Edward Ellice, of Spring-gardens, in the county of Middlesex, esquire; had represented to his said Majesty that they had entered into an agreement, on the 26th day of March last, for putting an end to the said competition, and carrying on the said trade for 21 years, commencing with the outfit of 1821, and ending with the returns of the outfit of 1841, to be carried on in the name of the said Governor and Company exclusively, and that the said Governor and Company, and William M'Gillivray, Simon M'Gillivray and Edward Ellice had humbly besought his said late Majesty to make a Grant and give his Royal License to them jointly of and for the exclusive privilege of trading with the Indians in North America, under the restrictions and upon the terms and conditions specified in the said recited Act: his said late Majesty, being desirous of encouraging the said trade, and remedying the evils which had arisen from the competition which had theretofore existed therein, did give and grant his Royal License, under the hand and seal of one of his Principal Secretaries of State, to the said Governor and Company, and William M'Gillivray, Simon M'Gillivray and Edward Ellice, for the exclusive privilege of trading with the Indians in all such parts of North America to the northward and to the westward of the said lands and territories belonging to the United States of America, as should not form part of any of his said Majesty's Provinces in North America, or of any lands or territories belonging to the said United States of America, or to any European government, state or power; and his said late Majesty did also give and grant and secure to the said Governor and Company, and William M'Gillivray, Simon M'Gillivray and Edward Ellice, the sole and exclusive privilege, for the full period of 21 years from the date of that Grant, of trading with the Indians in all such parts of North America as aforesaid (except as hereinafter excepted), and did thereby declare that no rent should be required or demanded for or in respect of that Grant and License, or any privileges given thereby for the said period of 21 years, but that the said Governor and Company of Adventurers trading to Hudson's Bay, and the said William M'Gillivray, Simon M'Gillivray and Edward Ellice, should, during the period of that Grant and License, keep accurate registers of all persons in their employ in any parts of North America, and should once in each year return to his said Majesty's Secretary of State accurate duplicates of such registers; and enter into and give security to his said Majesty, his heirs and successors, in the penal sum of 5,000 £. for ensuring, as far as in them might lay, or as they could by their authority over the servants and persons in their employ, the due execution of all criminal processes, and of every civil process in any suit where the matter in dispute shall exceed 200 £, by the officers and persons legally empowered to execute such processes within all the territories included in that Grant, and for the producing or delivering into custody for purposes of trial all persons in their employ or acting under their authority within the said territories, who should be charged with any criminal offence; and his said Majesty did thereby require that the said Governor and Company, and William M'Gillivray, Simon M'Gillivray and Edward Ellice, should, as soon as the same could be conveniently done, make and submit for his said Majesty's consideration and approval, such rules and regulations for the management and carrying on of the said fur trade with the Indians, and the conduct of the persons employed by them therein, as might appear to his said Majesty to be effectual for diminishing or preventing the sale or distribution of spirituous liquors to the Indians, and for promoting their moral and religious improvement; and his said Majesty did thereby declare, that nothing in that Grant contained should be deemed or construed to authorize the said Governor and Company, and William M'Gillivray, Simon M'Gillivray and Edward Ellice, or any persons in their employ, to claim or exercise any trade with the Indians on the North-west coast of America to the westward of the Stony



Appendix, No. 11. Mountains, to the prejudice or exclusion of any citizens of the United States of America who might be engaged in the said trade; and providing also by the now reciting Grant, that no British subjects other than and except the said Governor and Company, and the said William M'Gillivray, Simon M'Gillivray and Edward Ellice, and the persons authorized to carry on exclusive trade by them on Grant, should trade with the Indians within such limits during the period of that Grant:

And whereas the said Governor and Company have acquired to themselves all the rights and interests of the said William M'Gillivray, Simon M'Gillivray and Edward Ellice, under the said recited Grant, and the said Governor and Company having humbly besought us to accept a surrender of the said Grant, and in consideration thereof to make a Grant to them, and give to them our Royal License and authority of and for the like exclusive privilege of trading with the Indians in North America, for the like period and upon similar terms and conditions to those specified and referred to in the said recited Grant: Now know ye, That in consideration of the surrender made to us of the said recited Grant, and being desirous of encouraging the said trade, and of preventing as much as possible a recurrence of the evils mentioned or referred to in the said recited Grant; as also in consideration of the yearly rent hereinafter reserved to us, We do hereby grant and give our License, under the hand and seal of one of our Principal Secretaries of State, to the said Governor and Company, and their successors, for the exclusive privilege of trading with the Indians in all such parts of North America, to the northward and to the westward of the lands and territories belonging to the United States of America, as shall not form part of any of our provinces in North America, or of any lands or territories belonging to the said United States of America, or to any European government, state or power, but subject nevertheless as hereinafter mentioned: And we do by these presents give, grant and secure to the said Governor and Company, and their successors, the sole and exclusive privilege, for the full period of 21 years from the date of this our Grant, of trading with the Indians in all such parts of North America as aforesaid (except as hereinafter mentioned): And we do hereby declare, that no rent shall be required or demanded for or in respect of this our Grant and License, or any privileges given thereby, for the first four years of the said term of 21 years; and we do hereby reserve to ourselves, our heirs and successors, for the remainder of the said term of 21 years, the yearly rent or sum of 5s. to be paid by the said Governor and Company, or their successors, on the first day of June in every year, into our Exchequer, on the account of us, our heirs and successors; and we do hereby declare, that the said Governor and Company, and their successors, shall, during the period of this our Grant and License, keep accurate registers of all persons in their employ in any parts of North America, and shall once in each year return to our Secretary of State accurate duplicates of such registers; and shall also enter into and give security to us, our heirs and successors, in the penal sum of 5,000*l.*, for ensuring, as far as in them may lie, or as they can by their authority over the servants and persons in their employ, the due execution of all criminal and civil processes by the officers and persons legally empowered to execute such processes within all the territories included in this our Grant, and for the producing or delivering into custody for the purposes of trial all persons in their employ or acting under their authority within the said territories who shall be charged with any criminal offence: And we do also hereby require, that the said Governor and Company, and their successors, shall, as soon as the same can be conveniently done, make and submit for our consideration and approval such rules and regulations for the management and carrying on the said fur trade with the Indians, and the conduct of the persons employed by them therein, as may appear to us to be effectual for diminishing or preventing the sale or distribution of spirituous liquors to the Indians, and for promoting their moral and religious improvement: But we do hereby declare, that nothing in this our Grant contained shall be deemed or construed to authorize the said Governor and Company, or their successors, or any persons in their employ, to claim or exercise any trade with the Indians on the North-west coast of America to the westward of the Stoney Mountains, to the prejudice or exclusion of any of the subjects of any foreign states, who, under or by force of any convention for the time being between us and such foreign states respectively, may be entitled to and shall be engaged in the said trade: Provided nevertheless, and we do hereby declare our pleasure to be, that nothing herein contained shall extend or be construed to prevent the establishment by us, our heirs or successors, within the territories aforesaid, or any of them, of any colony or colonies, province or provinces, or for annexing any part of the aforesaid territories to any existing colony or colonies to us, in right of our Imperial Crown, belonging, or for constituting any such form of civil government as to us may seem meet, within any such colony or colonies, province or provinces:

And we do hereby reserve to us, our heirs and successors, full power and authority to revoke these presents, or any part thereof, in so far as the same may embrace or extend to any of the territories aforesaid, which may hereafter be comprised within any colony or colonies, province or provinces as aforesaid:

It being nevertheless hereby declared, that no British subjects other than and except the said Governor and Company, and their successors, and the persons authorized to carry on exclusive trade by them, shall trade with the Indians during the period of this our Grant within the limits aforesaid, or within that part thereof which shall not be comprised within any such colony or province as aforesaid.

Given at our Court at Buckingham Palace, 30th day of May 1838.

By Her Majesty's command.

(L. S.)

(signed)

Glenelg.

Copy of a LETTER from the Governor of the Hudson's Bay Company to Lord Glenelg.

No. 1.

My Lord, Hudson's Bay House, London, 10 February 1837. Letter from the Governor of the Hudson's Bay Company to Lord Glenelg. 10 February 1837.

The peace, order and tranquillity which have so successfully been maintained by the Hudson's Bay Company, during the last 15 years, throughout their extensive territories and the adjoining Indian countries, since the passing of the Act 1 & 2 Geo. 4, c. 66, have hitherto made it unnecessary to trouble your Lordship, or the department over which you preside, with any applications or representations relating to the country.

The approaching termination, however, of the grant of exclusive trade to the Company within their limits and the other fur trading districts (15 years of a term of 21 having already expired), and other circumstances and changes which have occurred in the situation of these countries, make it my duty to bring the whole case under the consideration of his Majesty's Government, in order that their opinion may be ascertained with regard to the renewal of the grant, and the further measures that have already become necessary for the administration of justice, the police and government of the increasing population and establishments of this extensive part of his Majesty's dominions.

Your Lordship is aware that the Hudson's Bay Company was incorporated under Charter of his Majesty Charles the Second, in the year 1670; and that that Charter conveyed to them the sole trade and commerce, together with the lands and territories upon the countries, coasts, &c., that were not actually possessed by or granted to any British subjects, or possessed by the subjects of any other Christian Prince or State, to be reckoned and reputed as one of the British plantations or colonies in America called "Rupert's Land."

One of the principal objects in the incorporation of this Company was the fur trade with the Indians inhabiting the territories ceded to them. For many years prior to the conquest of Canada, French subjects had penetrated by the St. Lawrence to the frontiers of Rupert's Land; but no competition had occurred between the traders of the two countries within the territories of the Hudson's Bay Company previous to the cession of Canada to Great Britain.

Subsequent to that period, the greater capital and activity of British subjects led to a competition, first on the frontier parts, then in the interior, and at last to the formation of a Company, combining all the individuals at that time engaged in the trade, to the countries bordering on and west of Lake Superior, under the firm of the North-west Company of Montreal.

It is unnecessary to say more of the eager competition into which this association entered with the Hudson's Bay Company for the trade of the Indian districts, or of the scenes of demoralization and destruction of life and property to which it led, than to refer your Lordship to the ample details on this revolting subject in the Colonial Department; to the agreements at last entered into between the rival companies to put an end to them by the union of their interests in 1821; and to the Act of Parliament passed in the same year to give effect to that union, and to prevent the possibility of the recurrence of competition, by enabling the Crown to grant to the parties interested a License for the exclusive trade, the only means of restraining violence and crime, and of maintaining order under the peculiar circumstances of the country and the case.

The several parties to whom the license was granted made an absolute surrender of their interests in it, in pursuance of further arrangements between them, to the Hudson's Bay Company, in 1824.

Encouraged by the protection given to them by this license, the Hudson's Bay Company have gradually extended their establishments and trade, and taken the further measures for the improvement and civilization of the country and its inhabitants, which I shall have the honour of detailing for your Lordship's information. The result of these measures, and the growth and increasing population of the settlements in the interior, bring yearly additional demands on the resources of the Company for the means of protection and administration. These demands will still further increase in future years; and it becomes absolutely necessary either that an arrangement should be soon made for the extension of the License to the Company, or that some other means should be taken for the expenditure and government of these establishments, in anticipation of the expiration of the present term, if a different policy shall appear advisable to his Majesty's Government.

Before the union of the rival Companies in 1821, the trade on the north-west coast of America, from the Mexican frontiers to Behring's Straits, was nearly or wholly enjoyed by American and Russian subjects. Some efforts had been made, at enormous costs and sacrifices by the North-west Company, to compete with the Americans, the history of which is recorded in a popular work lately published by Mr. Washington Irving, under the title of "Astoria;" but these efforts were both costly and unsuccessful, and the North-west Company were on the point of being compelled to abandon the trade.

The Russian establishment at Norfolk Sound, and at other places on the coast, even so far south as the coast of California, and the American expedition subsequent to the peace from Boston, New York, and other parts of the United States, had obtained a monopoly of the coast trade.

In the face of these disadvantages, the Hudson's Bay Company felt it their duty to attempt to regain the trade, and to re-establish British influence in the countries adjoining the coast, and to the mouth of the river of Columbia, within the limits of the last convention entered into with the court of Russia; and they have succeeded, after a severe and expensive

Appendix, No. 11. sive competition, in establishing their settlements, and obtaining a decided superiority, if not an exclusive enjoyment of the trade, the Americans having almost withdrawn from the coast.

In the course of the last year they had occasion to appeal to his Majesty's Government for protection and indemnity for a serious act of aggression and violence on the part of an armed Russian force on the coast, which impeded their operations, and occasioned them a loss to the extent of upwards of 20,000 *l*. The Russian Government has hitherto only consented to disavow the act of its officer, and to give instructions prohibiting further obstruction to the expeditions of the Company within the trading limits agreed upon in the convention; and the Company now wait with the firmest reliance on the further efforts of the Government for an indemnity for their great loss.

Beyond the difficulties arising from an active competition with the Americans, and the violent and oppressive proceedings on the part of the Russians, the Company have had to contend with other serious obstacles, both on the coast and in the interior, from a savage and formidable native population, whose habits of intoxication and other vices, encouraged by the competition, have been to a great degree restrained by the temperate and vigorous conduct of their traders.

Great loss of property, and in some cases loss of life, have been incurred by savage and murderous attacks on their hunting-parties and establishments, and order has only been restored and peace maintained by the employment, at a great expense, of considerable force, and by the exercise, on the part of their servants, of the utmost temper, patience and perseverance.

The Company now occupy the country between the Rocky Mountains and the Pacific by six permanent establishments on the coasts, sixteen in the interior country, besides several migratory and hunting parties, and they maintain a marine of six armed vessels, one of them a steam-vessel, on the coast.

Their principal establishment and depôt for the trade of the coast and the interior is situated 90 miles from the Pacific, on the northern banks of the Columbia River, and called Vancouver, in honour of that celebrated navigator. In the neighbourhood they have large pasture and grain farms, affording most abundantly every species of agricultural produce, and maintaining large herds of stock of every description; these have been gradually established; and it is the intention of the Company still further, not only to augment and increase them, to establish an export trade in wool, tallow, hides and other agricultural produce, but to encourage the settlement of their retired servants and other emigrants under their protection.

The soil, climate and other circumstances of the country are as much if not more adapted to agricultural pursuits than any other spot in America, and with care and protection the British dominion may not only be preserved in this country, which it has been so much the wish of Russia and America to occupy to the exclusion of British subjects, but British interest and British influence may be maintained as paramount in this interesting part of the coast of the Pacific.

Great exertions have also been made, and much expense incurred by the Company in exploring and taking possession of the interior country between the Russian maritime limits and the Frozen Ocean, although little has yet been done in forming permanent establishments, in consequence of the obstruction of the late expedition by the Russians; they also, at considerable cost, and some inconvenience, have not only afforded every assistance to the expeditions fitted out by Government for exploring the coast of the Polar Sea, but in the last season the Council in the interior, under the sanction of, and by the advice of the Board over which I preside, to anticipate the intentions of Russia and the United States, have undertaken to fit out an expedition, composed of their own officers and servants, at the sole expense of the Company, to complete the surveys left unfinished by Sir John Franklin, Captain Beechey and Captain Back.

The Company entertain the most sanguine expectations that the result of this expedition will be the complete survey of the coast of the Polar Sea not hitherto visited by European navigators, and that they will secure for England the reputation of having effected this work, and the other advantages anticipated from previous expeditions undertaken at such expense and risk of life to the nation.

With a view to the formation of a large agricultural settlement within the Company's territories, named in their Charter "*Rupert's Land*," the Hudson's Bay Company made a grant to the late Earl of Selkirk, in the year 1811, of a tract of country on the banks of the Red and Assiniboin Rivers, in about 50° north lat. and 97° west long., where the soil and climate are favourable to cultivation, it being intended that this settlement should be peopled by emigrants from Britain, and that native Indians should be drawn thither from all parts of their territory, with a view to their civilization and moral and religious improvement; and with the object of establishing, in time, a valuable export trade from thence to the mother country in wool, flax, tallow, and other agricultural produce.

Under that arrangement his Lordship, at a very heavy expense, conveyed several hundred families from Europe to that settlement; but the evils attendant on the competition in the fur trade extending to this settlement, occasioned serious breaches of the peace, much loss of life, and the breaking up or abandonment of the settlement by the whites on two different occasions.

In order to remedy certain inconveniences that were found to exist from a divided interest and management in the country, an arrangement was lately entered into with the present Earl of Selkirk, by which the district of country that had been granted to the late Earl has reverted to the Company, under whose management that infant colony is now conducted; and

and, by the accompanying report of Mr. Simpson, Governor of the Company's territories in North America, it will be seen that Red River settlement has advanced rapidly in population and improvement since 1821, the population being now about 2,000 whites, and 3,000 Indians and half-breeds, who are no longer occupied in the chase, but maintain themselves by agriculture; and there is a prospect that at no very distant period a considerable export trade in the articles of wool, flax, &c., will be established from that settlement. Appendix, No. 11.

The right of jurisdiction within Rupert's Land was granted, together with that territory, by the Royal Charter to the Governor and Company, through their local governors and chief factors; and hitherto, whilst there has been no competition between the rival traders, under the protective powers of the Act, has been found sufficient to maintain peace and tranquillity in the settlement at Red River; but the population located there already amounts to 5,000 souls, of a mixed character and degree of civilization, and is increasing so rapidly that it will soon be necessary to have the assistance of a person of competent legal knowledge as Recorder, with other requisite officers, so as to form a more regular court of justice. It will also be necessary to provide a sufficient military or police force to support the civil power.

This rising community, if well governed, may be found useful at some future period, in the event of difficulties occurring between Great Britain and the United States of America, who have several military posts, say those of the Sault St. Mary's, Prairie du Chiens, and the River St. Peter's, established on their Indian frontiers along the line of boundary with British North America.

By the report of Mr. Simpson, your Lordship will likewise see what has been done up to the present time, in reference to the native population, in accordance with the benevolent provisions contained in the license of exclusive trade, under which the Hudson's Bay Company conduct that part of their business, situated beyond the limits of the territories they hold under their Charter; as without that license they could not have sufficiently protected even their own territory from the evils of opposition, to have justified or enabled them to carry into effect the various measures described in Mr. Simpson's report, in regard to the civilization and amelioration of the condition of the natives.

By that report it will moreover be seen that the animosities and feuds which kept the Indian country in a state of continued disturbance, extending to the loss of lives and to the destruction of property, have, since 1821, entirely ceased; that the sale or distribution of spirituous liquors to the Indians has, in most parts of the country, been entirely discontinued, and in all other parts so much reduced as to be no longer an evil; and that the moral and religious improvement of the native population has been greatly promoted.

And from what I have had the honour of bringing under your Lordship's notice in this communication, it will be seen what the Company has done in reference to the extension of the British trade on the north-west coast, and the exertions they are making in the causes of discovery and science.

Also the views of the Company in regard to the establishing valuable branches of trade from the country to the west of the Rocky Mountains, which they occupy under the exclusive license in question, as well as from the Red River settlement formed within their own territories.

Your Lordship will perceive that much has already been done by the Hudson's Bay Company, resulting from the privileges they enjoy; but that much more, involving great outlay of money and heavy responsibility, will soon be required to be done, in order to complete the operations they have in hand, and to give effect to the measures they have in contemplation, which may hereafter become important to Great Britain in a national point of view; and that without the extension of the term of the license the Company now hold, they could not feel justified, with a due regard to the interests of the numerous parties connected with the business, in following up several of the extensive and expensive arrangements before mentioned, which are now in progress.

I have, therefore, to request that your Lordship will be pleased to bring the subject of this communication under the consideration of his Majesty's Ministers; and as there are several important points connected with this subject that cannot so well be explained in an official despatch as by personal communication, that your Lordship will be further pleased to honour me with an audience as early as convenient, at which Mr. Simpson, who is now preparing for his departure to Hudson's Bay *via* Canada, may attend.

I have, &c.  
(signed) J. H. Pelly, Governor.

Enclosure in No. 1.

COPY of a LETTER from George Simpson, Esq., to J. H. Pelly, Esq.

Sir,

London, 1 February 1837.

Encl. in No. 1.

In obedience to your commands that I should report on the state of the Indian country and trade, both previous to the year 1821 (when an Act of Parliament was passed, under which the Hudson's Bay Company has, since that time, by virtue of exclusive license, conducted the fur trade) and subsequently to that period, I now do myself the honour of laying before you a brief outline of the then and the present state of the fur trade.

Appendix, No. 11. The Indian country, which previous to the passing and granting of that Act and License, was a scene of violence and outrage, productive of injury to the native population, and of the worst consequences, amounting in very many instances to the loss of life among the whites actively engaged therein, and to a vast sacrifice of property to the parties interested, all arising from the violent competition that existed among the traders, I have the satisfaction to say, has, ever since that period, been in a state of the most perfect tranquillity, beneficial as well to the Indian population as to the parties interested and engaged in the trade.

Previous to that period, an unrestricted supply of spirituous liquor, then an important article of trade, led to the commission of crimes, to the injury of health, and to a state of demoralization among the native population truly lamentable. The measures since taken by the Council in the country, under the instructions of the Board of Direction in England, to remedy those evils have been attended with the happiest results; drunkenness is now of very rare occurrence in any part of the country, and quite unknown throughout the extended district situated to the northward of the Saskatchewan and Churchill Rivers, occupied by the Chipewyan, Beaver Indian, Cree, Yellow Knife, Hare, Dog Rib, and other tribes throughout the numerously inhabited and widely extended plain country to the southward of Saskatchewan; in the country situated between the Rocky Mountains and the shores of the Pacific, watered by the Columbia River and its tributaries; in the country known by the name of New Caledonia, situated inland, to the northward of the Columbia River; and among the Chippewa tribes on the shores and interior country of Lakes Superior and Huron; the introduction and use of spirituous and other intoxicating liquors having been strictly prohibited, except in very rare cases for medicinal purposes.

The first introduction of this measure was so unpopular among the natives as to endanger the safety of the trading establishments, rendering it necessary to maintain a large force for their protection, at a heavy expense; and it was only by compensating them for the loss of this baneful indulgence by large gratuities, consisting of presents of British manufacture, that they became reconciled to the privation. In other parts of the country, where it could not, in safety to the white population, be entirely prohibited, the use of it is now gradually diminishing, so as at this time to be no longer an evil; and in no part of the countries through which the Hudson's Bay Company's operation extend are spirituous or intoxicating liquors of any description sold to Indians, or used as a medium of barter or trade. But so inseparable is drunkenness or the abuse of spirituous liquors from opposition in the Indian trade, that on the north-west coast, where we have to contend with the Americans and Russians, and even on the banks of the St. Lawrence and Ottawa Rivers, which are exposed to competition in trade, and where the Indians are partially civilized, I am sorry to say our utmost efforts to check it have been altogether unavailing.

A confirmation of these statements is to be seen by reference to the exportations of spirituous liquors to Hudson's Bay, which, since the year 1821, do not exceed on the average 43 puncheons of rum annually for the supply of the whole country situated to the eastward of the Rocky Mountains, comprised in the license of trade granted to the Company, as well as the Company's territories, the population of which, including servants, may be estimated at 120,000 souls, no spirituous liquors having up to this period been distilled in the country.

During the competition in trade previous to the year 1821 (when the exclusive management fell into the hands of the Hudson's Bay Company), it was found impossible to take any effectual measure towards the civilization or moral and religious improvement of the native population. Since that period the Company have established two Protestant missions, under the management of their chaplains, at Red River settlement, where there are likewise two Catholic missions and 13 schools.

In this settlement there are resident several thousand Indians and half-breeds, drawn together from all parts of the country, with a view to their civilization and moral and religious improvement. These people have abandoned the chase, and now devote themselves to agricultural pursuits, and it is gratifying to be enabled to say that the zealous endeavours of our missionaries have been most successful.

The Hudson's Bay Company have likewise established missions and schools at several of their principal depôts or posts on the Columbia River, west side of the Rocky Mountains, under the management of another of their chaplains; and at the Red River and Columbia schools Indian children are educated belonging to many of the distant tribes, who, after attaining the age of manhood, are allowed the option of returning to their homes, becoming agriculturists at Red River settlement, or entering into the Company's service. We are using our utmost endeavours in every other part of the country, where the climate and soil admit of it, to collect the Indians into villages, and direct their attention to agriculture, as the first step towards civilization. This operation is, however, attended with much difficulty, from their erratic habits, and the scanty and precarious subsistence afforded by the chase, which prevents their keeping together in considerable numbers, and applying themselves to husbandry and the pursuits of civilised life, and compels them to separate into small parties of single families, and to wander about in search of food, under circumstances where it is impossible for the missionary to follow them.

I can say, without fear of contradiction, from my intimate knowledge of the country and natives, and of the mode in which the business was conducted, both previous and subsequent to the period since which the exclusive trade has been in the hands of the Company, having held the situation I now have the honour of filling for many years, during which I have been

been in constant communication with the different tribes inhabiting these extensive countries, and I say it with peculiar satisfaction, that their condition is much ameliorated.

When competition in trade existed, the encouragement afforded to the Indians to make large collections of skins led to the destruction of the fur-bearing animals of all ages and sexes, and at all seasons. If this system had been continued much longer, those animals, which were rapidly decreasing in numbers, would have been almost entirely extirpated. Instead of exhausting the country, we now use every means in our power to preserve it; by withdrawing our trading posts, and the Indians attached to them, for a time from such parts as have been impoverished, so as to enable them to recruit; and by discouraging hunting during the seasons when the females are bearing and rearing their young, the animals are now becoming numerous. The employment we afford at those seasons to many of the Indians, whereby they are brought into frequent communication and intercourse with our officers and servants, tends towards their gradual civilization and improvement; and we find our own interests promoted by an equitable and liberal system of trade and management.

Our different trading establishments are the resort or refuge of many of the natives, who, from age, infirmity or other causes, are unable to follow the chase: they have the benefit of the care and attention, free of expense, of our medical men, of whom about 12 are usually employed in the service, every trading establishment being, in fact, an Indian hospital; advantages which were not and could not have been afforded to them during the competition in trade. In short, I have no hesitation in saying, that the native population of the countries through which the Hudson's Bay Company's business extends, never derived any real benefit from their intercourse with the whites until the fur trade became exercised under the existing license. In proof of this, the population of some of the tribes, previous to that time, sensibly diminishing, is now increasing; and from my experience of the times of opposition, I can further say, that if the trade were again thrown open to competition, all the horrors of the late contest would break out afresh; drunkenness and demoralization would have their former sway, not only among the natives but among the whites, whom we are now enabled to keep under proper subordination, which was never the case during the excitement occasioned by the rivalry in trade; the fur-bearing animals would in the course of a very few years become nearly extinct; and the inevitable consequences would be, the desertion of the natives by the traders, the latter having no longer any inducement to remain among them; that unfortunate population, thus left to their own resources, must inevitably perish from cold and hunger,—the use of the bow and arrow, and other rude implements, formerly affording them the means of feeding and clothing themselves; being now unknown, and our guns, ammunition, fishing-tackle, iron works, cloth, blankets and other manufactures having become absolutely necessary to their very existence. The country in which the Hudson's Bay Company now trade is divided into four great districts, known by the names of the Northern, Southern, Columbia and Montreal Departments, in which there are 136 establishments, besides hunting expeditions and shipping, affording employment to 25 chief factors, 27 chief traders, 152 clerks, and about 1,200 regular servants, besides the occasional labour in boating and other services of a great number of the natives.

Previous to 1821 the business of the Columbia department was very limited; but it has since been very greatly extended at much expense, and, I am sorry to add, at a considerable sacrifice of life among the Company's officers and servants, owing to the fierce, treacherous and blood-thirsty character of its population, and the dangers of the navigation; it now comprehends 22 trading establishments, besides several migratory, hunting and trading expeditions, and six armed vessels on the north-west coast.

The fur trade is the principal branch of business at present in the country situated between the Rocky Mountains and the Pacific Ocean. On the banks of the Columbia River, however, where the soil and climate are favourable to cultivation, we are directing our attention to agriculture on a large scale, and there is every prospect that we shall soon be able to establish important branches of export trade from thence in the articles of wool, tallow, hides, tobacco, and grain of various kinds.

I have also the satisfaction to say, that the native population are beginning to profit by our example, as many, formerly dependent on hunting and fishing, now maintain themselves by the produce of the soil.

The country situated between the northern bank of the Columbia River, which empties itself into the Pacific, in lat. 46° 20", and the southern bank of Frazer's River, which empties itself into the Gulf of Georgia, in lat. 49°, is remarkable for the salubrity of its climate and excellence of its soil, and possesses, within the Straits of De Fuca, some of the finest harbours in the world, being protected from the weight of the Pacific by Vancouver's and other islands. To the southward of the Straits of De Fuca, situated in lat. 48° 37", there is no good harbour nearer than the bay of St. Francisco, in lat. 37° 48", as the broad shifting bar off the mouth of the Columbia, and the tortuous channel through it, renders the entrance of that river a very dangerous navigation even to vessels of small draught of water.

The possession of that country to Great Britain may become an object of very great importance, and we are strengthening that claim to it (independent of the claims of prior discovery and occupation for the purpose of Indian trade) by forming the nucleus of a colony through the establishment of farms, and the settlement of some of our retiring officers and servants as agriculturists.

Our population in Red River settlement amounts to about 5,000 souls, say about 2,000 whites, and about 3,000 half-breeds and Indians. The population, at the close of the late contest in trade, did not amount to as many hundreds; but so pernicious was the excitement

Appendix, No. 11. ment occasioned by the contest, even among that small population, that it was then frequently the scene of bloodshed, robbery and riot; and in one of those riots, in the year 1816, 22 persons were killed, and several wounded; among the former was Mr. Seiple, Governor of the Company's territories, a man of judgment and discretion, and of the most amiable and benevolent character.

The blessings of tranquillity, however, immediately followed the cessation of that contest, peaceful industry having reigned in the settlement ever since, and offences so few as rarely to call for magisterial interference. Our population, however, is now so large, and increasing so rapidly, both as regards Indians and half-breeds, and whites, that the time has arrived when it is no longer safe to trust the peace of the settlement solely to the good-will of its inhabitants. I therefore consider it highly necessary, to the security of lives and property, that a court of justice, for the trial of civil and criminal cases, with an efficient police to support the civil power, should be established there without delay.

I have, &c.  
(signed) *Geo. Simpson.*

— No. 2. —

COPY of a LETTER from the Under-Secretary of State for the Colonies to  
*Denis Le Marchant, Esq.*

No. 2.  
Letter from the  
Under-Secretary  
of State for the  
Colonies to Denis  
Le Marchant, Esq.  
28 February 1837.

Sir,

Downing-street, 28 February 1837.

I AM directed by Lord Glenelg to transmit to you herewith a letter addressed to his Lordship by the Governor of the Hudson's Bay Company, describing the present state of the Company's establishment in North America, and calling his Lordship's attention to the approaching termination of the Charter, granting them the exclusive right of trading within their territories.

I am to request that you will bring this letter before the Lords of the Committee of the Privy Council for Trade, and move their Lordships to favour Lord Glenelg with their opinion how far it would be expedient to entertain and encourage the application made by the Company for a renewal of their commercial privileges at the expiration of their present Charter.

I have, &c.  
(signed) *J. Stephen.*

— No. 3. —

COPY of a LETTER from *Denis Le Marchant, Esq.* to the Under-Secretary of State for the Colonies.

No. 3.  
Letter from Denis  
Le Marchant, Esq.  
to the Under-  
Secretary of State  
for the Colonies.  
2 June 1837.

Sir,

Office of Committee of Privy Council for Trade,  
Whitehall, 2 June 1837.

I HAVE laid before the Lords of the Committee of Privy Council for Trade your letter of the 28th February last, with its enclosures, respecting the Hudson's Bay Company, and I am directed by their Lordships to request that you will inform Lord Glenelg, that after an attentive consideration of the facts stated in the above-mentioned enclosures, and of such additional information as their Lordships have been able to obtain on the subject, they have arrived at the conclusion that it is desirable that the application of the Company for a renewal of the exclusive license to trade in those parts of North America beyond the limits of their Charter, which they at present enjoy, should be favourably entertained by his Majesty's Government, with a view to their extension for a definite term of years after the present license shall have expired. The proceedings of the Company of late years appear to their Lordships to have been distinguished generally by a liberal and enlightened policy; and the peculiar nature of the fur trade seems to justify, and even to recommend, the adoption of the principle of conferring exclusive privileges upon a great body engaged in it, however objectionable such a principle appears with reference to commercial affairs generally. It is with reference to these particular circumstances that their Lordships have satisfied themselves that it would not be safe to withdraw from the Company the powers which they now exercise.

Their Lordships have only further to observe, that as to any pecuniary conditions being attached to the renewal of the license under the 1 & 2 Geo. 4, c. 66, that is a point which they presume will be made the subject of communication between Lord Glenelg and the Commissioners of Woods and Forests. They may, however, remark that it would be very unadvisable, in their opinion, to adopt any provisions upon this subject which might tend to cramp the operations of the Company, or place them in unfair competition with other traders in fur.

I am, &c.  
(signed) *Denis Le Marchant.*



— No. 4. —

COPY of a LETTER from the Under-Secretary of State for the Colonies to  
*Denis Le Marchant, Esq.*

Sir,

Downing-street, 25 July 1837.

No. 4.

I AM directed by Lord Glenelg to acknowledge your letter of the 2d ultimo, relative to the application from the Hudson's Bay Company for a renewal of the exclusive privilege of trading on certain parts of the continent of North America, which they at present enjoy, under a Charter granted in pursuance of the Act 1 & 2 Geo. 4, c. 66.

Lord Glenelg desires me to express his concurrence in the opinion of the Lords of the Committee of Privy Council for Trade as to the expediency of reviving this Charter; but he directs me to observe, that whenever that step shall be taken it will be indispensable to introduce into the new Charter such conditions as may enable Her Majesty to grant, for the purpose of settlement or colonization, any of the lands comprised in it, and with that view his Lordship thinks that a power should be reserved even of establishing new colonies or provinces within the limits comprised in the Charter. With whatever confidence the sterility of a great part of that extensive portion of the globe, and its unfitness to sustain any considerable population, may have hitherto been asserted, Lord Glenelg thinks that such statements cannot be assumed as incontrovertible; and as the country is very imperfectly known, especially in that part of it which borders on the chain of the lakes, his Lordship is disposed to regard them with distrust. I am, therefore, to request that you will inform me, whether in their negotiations with the Company, the Lords of the Committee of Privy Council for Trade have adverted to any stipulation for the purposes above mentioned, and if not, I am to suggest, that before any further steps are taken, it would be desirable to ascertain whether the Company would object to receive an extension of their Charter at the present time, introducing into it such a reservation as has been mentioned, of the right of establishing new colonies, and of the right of withdrawing from the control and authority of the Company any of the lands comprised in such future colonies.

Letter from the Under-Secretary of State for the Colonies to Denis Le Marchant, Esq. 25 July 1837.

I am, &c.  
 (signed) *J. Stephen.*

— No. 5. —

COPY of a LETTER from *J. D. Hume, Esq.*, to the Under-Secretary of State for the Colonies.

Office of Committee of Privy Council for Trade,  
 Whitehall, 7 August 1837.

No. 5.

Sir,

Letter from *J. D. Hume, Esq.* to the Under-Secretary of State for the Colonies, 7 August 1837.

YOUR letter of the 25th ultimo, relative to the privileges of the Hudson's Bay Company, has been laid before the Lords of the Committee of Privy Council for Trade, and their Lordships, after having adverted to your former letter of the 28th of February last on the same subject, and the answer thereto of the 2d June, to which you now refer, have directed me to request that you will inform Lord Glenelg that no negotiation has been entered into with this department by the Hudson's Bay Company for a renewal of their license; nor has any measure been taken in the matter under their Lordships' directions, except the transmission of the letter of the 2d of June before mentioned.

I am, however, to state to you, for the information of Lord Glenelg, that the Lords of this Committee are ready, if so desired by him, to confer with the Company upon this subject: at the same time, I am to observe, that, as the peculiar point for discussion relates to colonization, it may be desirable that Lord Glenelg should, in the first instance, apprize the Company of his views upon that subject.

I am, &c.  
 (signed) *J. D. Hume.*

— No. 6. —

COPY of a LETTER from the Under-Secretary of State for the Colonies to *J. D. Hume, Esq.*

Sir,

Downing-street, 15 August 1837.

No. 6.

HAVING laid before Lord Glenelg your letter of the 7th instant, I am directed to acquaint you, in answer, that as the Lords of the Committee of Privy Council for Trade have already undergone the labour of investigating the question of the propriety of renewing the Charter of the Hudson's Bay Company, and have formed an opinion on that subject, in which Lord Glenelg coincides, it appears to his Lordship that the negotiation with the Company, as to the terms of their Charter, would be conducted more advantageously for the public interest by their Lordships than by Lord Glenelg; and in this conclusion he is confirmed by the consideration, that the question is important chiefly in its bearing on the commercial interests of the empire at large.

Letter from the Under-Secretary of State for the Colonies to *J. D. Hume, Esq.* 15 August 1837.



Appendix, No. 11.

With regard to the question of colonization, Lord Glenelg will of course explain his views to the Company, if their Lordships should, on further reflection, think that course expedient. But, as he is apprehensive of some danger of producing misconceptions by multiplying the channels of official communication with that body, and as his views on the subject of colonizing the territory in question lie within a very narrow compass, it appears to Lord Glenelg that they may be perhaps more conveniently stated to the Company by the Board of Trade than by himself. Lord Glenelg is of opinion that the public interest may not improbably require the erection of some part of the territory comprised in the Company's Charter into one or more colonies, independent of and distinct from either Upper or Lower Canada. The limits of any such colonies must, for the present, be matter of conjecture and surmise; but Lord Glenelg thinks that the proposed new Charter should contain an express condition, providing that nothing to be therein contained should prevent Her Majesty, Her heirs and successors, from establishing any such colonies within the territories in question, and that, from the time of their being so established, all the rights of the Company within the limits of any such colony should cease.

I am, &amp;c.

(signed) J. Stephen.

— No. 7. —

(Private.)

COPY of a LETTER from the Governor of the Hudson's Bay Company to Lord Glenelg.

No. 7.

Letter from the  
Governor of the  
Hudson's Bay  
Company to  
Lord Glenelg,  
9 September 1837.

My Lord,

Hudson's Bay House, 9 September 1837.

It is of so much importance to the Hudson's Bay Company to know the decision of Her Majesty's Government on the subject of the renewal of that part of the North-west district of America which is not within the Company's territories, and as the measures which the Company will feel it right to pursue will depend on that decision, and ought to be communicated to their chief in the Columbia by the ship that is now preparing to go to the Pacific, and will sail in the course of the next month, I trust will be a sufficient apology for my now requesting that you will favour me with a communication on this subject, or, if there is any difficulty, with an audience, and much oblige, &c.

(signed) J. H. Pelly.

— No. 8. —

COPY of a LETTER from the Under-Secretary of State for the Colonies to the Governor of the Hudson's Bay Company.

No. 8.

Letter from the  
Under-Secretary  
of State for the  
Colonies to the  
Governor of the  
Hudson's Bay  
Company,  
19 Sept. 1837.

Sir,

Downing-street, 19 September 1837.

I AM directed by Lord Glenelg to acknowledge the receipt of your letter, marked "Private," of the 9th instant.

His Lordship directs me to acquaint you in answer, that Her Majesty's Government do not object to the renewal of the Charter of the Hudson's Bay Company, or to the extension of it to the territory to which your letter refers. But it is proposed to stipulate, as the condition of any such grant, that it should not prevent the erection within the limits of the Charter of any new colonies or provinces which Her Majesty may be disposed to establish there; and that if any such province or colony should be so established, the Charter should thenceforth cease to be in force, so far as respects the territories which may be embraced within the limits of the new colony. Lord Glenelg would be happy to know how far it would be in the power of the Company to accept the renewal of the Charter on those terms.

I have, &amp;c.

(signed) J. Stephen.

— No. 9. —

COPY of a NOTE from the Governor of the Hudson's Bay Company to the Under-Secretary of State for the Colonies.

No. 9.

Note from the  
Governor of the  
Hudson's Bay  
Company to the Under-  
Secretary of State  
for the Colonies,  
25 October 1837.

Hudson's Bay House, 25 October 1837.

For Copy of the  
Grant to the Hud-  
son's Bay Company,  
vide p. 414.

MR. PELLY presents his compliments to Mr. Stephen, and sends herewith a draft for a Grant to the Hudson's Bay Company of exclusive trade with the Indians in certain parts of North America, drawn in conformity with the original one, and of the Act passed in the second year of his late Majesty Geo. 4. and providing for the conditions contained in Mr. Stephen's letter to him. In it is likewise extended the reservation of trade to the subjects of any Foreign State, who, under or by force of any convention between Great Britain and such Foreign State, may be entitled and shall be engaged in said trade. This in the old grant was reserved exclusively for the subjects of the United States; since which a convention has been entered into with the Emperor of Russia. Mr. P. has therefore had it drawn to include any

any Foreign State, which alteration he submits would be advisable to adopt. Should Mr. S. wish to see Mr. P. on the subject, he will, after next week, attend any appointment. Appendix, No. 11.

## — No. 10. —

COPY of a NOTE from the Under-Secretary of State for the Colonies to the Governor of the Hudson's Bay Company.

No. 10.

Note from the Under-Secretary of State for the Colonies to the Governor of the Hudson's Bay Company, 8 November 1837.

Downing-street, 8 November 1837.

MR. STEPHEN presents his compliments to Mr. Pelly, and, with reference to his note of the 25th ultimo, is directed by Lord Glenelg to request that Mr. Pelly will be good enough to furnish his Lordship with a copy of the Grant of exclusive trade with the Indians of North America, which was made to the Hudson's Bay Company in the year 1821.

## — No. 11. —

COPY of a NOTE from the Governor of the Hudson's Bay Company to the Under-Secretary of State for the Colonies.

No. 11.

Note from the Governor of the Hudson's Bay Company to the Under-Secretary of State for the Colonies, 10 November 1837.

Hudson's Bay House, 10 November 1837.

MR. PELLY presents his compliments to Mr. Stephen; begs to acknowledge his note of the 8th instant, and to enclose for my Lord Glenelg a copy of the Grant of exclusive trade with the Indians of North America, made to the Hudson's Bay Company 5th December 1821.

Enclosure in No. 11.

GEORGE R.

(L. S.)

Encl. in No. 11.

GEORGE the Fourth, by the Grace of God of the United Kingdom of Great Britain and Ireland King, Defender of the Faith.

To all to whom these Presents shall come, greeting :

WHEREAS an Act passed in the second year of our reign, intituled, "An Act for regulating the Fur Trade, and for establishing a Criminal and Civil Jurisdiction within certain parts of North America;" wherein it is amongst other things enacted, that from and after the passing of the said Act, it should be lawful for us, our heirs or successors, to make Grants or give our Royal License, under the hand and seal of one of our Principal Secretaries of State, to any body corporate or company, or person or persons, of or for the exclusive privilege of trading with the Indians in all such parts of North America as should be specified in any such Grants or Licenses respectively, not being part of the lands or territories heretofore granted to the Governor and Company of Adventurers of England trading to Hudson's Bay, and not being part of any of our provinces in North America, or of any lands or territories belonging to the United States of America, and that all such Grants and Licenses should be good, valid and effectual, for the purpose of securing to all such bodies corporate, or companies, or persons, the sole and exclusive privilege of trading with the Indians, in all such parts of North America (except as thereafter excepted) as should be specified in such Grants or Licenses, any thing contained in any Act or Acts of Parliament, or any law to the contrary notwithstanding; and it was in the said Act further enacted, that no such Grant or License made or given by us, our heirs or successors, of any such exclusive privileges of trading with the Indians in such parts of North America as aforesaid should be made or given for any longer period than 21 years, and that no rent should be required or demanded for or in respect of any such Grant or License, or any privileges given thereby, under the provisions of the said Act, for the first period of 21 years; and it was further enacted, that from and after the passing of the said Act, the Governor and Company of Adventurers of England trading to Hudson's Bay, and every body corporate and company and person, to whom every such Grant or License should be made or given as aforesaid, should respectively keep accurate registers of all persons in their employ, in any parts of North America, and should once in each year return to our Principal Secretaries of State accurate duplicates of such registers, and should also enter into such security as should be required by us for the due execution of all criminal processes, and of any civil process in any suit where the matter in dispute shall exceed 200 £, and as well within the territories included in any such Grant as within those granted by Charter to the Governor and Company of Adventurers of England trading to Hudson's Bay, and for the producing and delivering into safe custody, for the purpose of trial, all persons in their employ, or acting under their authority, who should be charged with any criminal offence, and also for the due and faithful observance of all such rules, regulations and stipulations as should be contained in any such Grant or License, either for gradually diminishing and ultimately preventing the sale or distribution of spirituous liquors to the Indians, or for promoting their moral and religious improvement; or for any other object which we might deem necessary for the remedy or prevention of any other evils which have been hitherto found to exist: And whereas it was

Appendix, No. 11. also in the said Act recited, that by a Convention entered into between his late Majesty and the United States of America, it was stipulated and agreed, that every country on the North-west coast of America to the westward of the Stony Mountains should be free and open to the citizens and subjects of the two powers for the term of ten years from the date of the signature of that Convention; and it was therefore enacted, that nothing in the said Act contained should be deemed or construed to authorise any body corporate, company or person, to whom his Majesty might, under the provisions of the said Act, make or grant, or give a license of exclusive trade with the Indians in such parts of North America as aforesaid, to claim or exercise any such exclusive trade within the limits specified in the said article, to the prejudice or exclusion of any citizens of the said United States of America who might be engaged in the said trade: Provided always, that no British subject should trade with the Indians within such limits without such Grant or License as was by the said Act required.

And whereas the said Governor and Company of Adventurers of England trading into Hudson's Bay, and certain Associations of persons trading under the name of the "North-west Company of Montreal," have respectively extended the fur trade over many parts of North America which had not been before explored: And whereas the competition in the said trade has been found for some years past to be productive of great inconvenience and loss, not only to the said Company and Associations, but to the said trade in general, and also of great injury to the native Indians, and of other persons our subjects: And whereas the said Governor and Company of Adventurers of England trading into Hudson's Bay, and William M'Gillivray, of Montreal, in the Province of Lower Canada, esquire, Simon M'Gillivray, of Suffolk-lane, in the City of London, merchant, and Edward Ellice, of Spring-gardens, in the county of Middlesex, esquire, have represented to us, that they have entered into an agreement, on the 26th day of March last, for putting an end to the said competition, and carrying on the said trade for 21 years, commencing with the outfit of 1821, and ending with the returns of 1841, to be carried on in the name of the said Governor and Company exclusively:

And whereas the said Governor and Company, and William M'Gillivray, Simon M'Gillivray and Edward Ellice, have humbly besought us to make a Grant, and give our Royal License to them jointly, of and for the exclusive privilege of trading with the Indians in North America, under the restrictions and upon the terms and conditions specified in the said recited Act: Now know YE, That we, being desirous of encouraging the said trade and remedying the evils which have arisen from the competition which has heretofore existed therein, do grant and give our Royal License, under the hand and seal of one of our Principal Secretaries of State, to the said Governor and Company, and William M'Gillivray, Simon M'Gillivray and Edward Ellice, for the exclusive privilege of trading with the Indians in all such parts of North America to the northward and the westward of the lands and territories belonging to the United States of America as shall not form part of any of our provinces in North America, or of any lands or territories belonging to the said United States of America, or to any European government, state or power; and we do by these presents give, grant and secure to the said Governor and Company, and William M'Gillivray, Simon M'Gillivray and Edward Ellice jointly, the sole and exclusive privilege, for the full period of 21 years from the date of this our Grant, of trading with the Indians in all such parts of North America as aforesaid (except as hereinafter excepted); and we do hereby declare that no rent shall be required or demanded for or in respect of this our Grant and License, or any privileges given thereby, for the said period of 21 years, but that the said Governor and Company, and the said William M'Gillivray, Simon M'Gillivray and Edward Ellice shall, during the period of this our Grant and License, keep accurate registers of all persons in their employ in any parts of North America, and shall once in each year return to our Secretary of State accurate duplicates of such registers, and shall also enter into and give security to us, our heirs and successors, in the penal sum of 5,000 £. for ensuring, as far as in them may lie, the due execution of all criminal processes, and of any civil process in any suit where the matter in dispute shall exceed 200 £., by the officers and persons legally empowered to execute such processes within all the territories included in this our Grant, and for the producing and delivering into safe custody, for purposes of trial, any persons in their employ, or acting under their authority within the said territories, who may be charged with any criminal offence.

And we do also hereby require, that the said Governor and Company, and William M'Gillivray, Simon M'Gillivray and Edward Ellice shall, as soon as the same can be conveniently done, make and submit for our consideration and approval such rules and regulations for the management and carrying on the said fur trade with the Indians, and the conduct of the persons employed by them therein, as may appear to us to be effectual for gradually diminishing or ultimately preventing the sale or distribution of spirituous liquors to the Indians, and for promoting their moral and religious improvement.

And we do hereby declare, that nothing in this our Grant contained shall be deemed or construed to authorise the said Governor and Company, or William M'Gillivray, Simon M'Gillivray and Edward Ellice, or any person in their employ, to claim or exercise any trade with the Indians on the north-west coast of America to the westward of the Stony Mountains, to the prejudice or exclusion of any citizens of the United States of America, who may be engaged in the said trade: Provided always, that no British subjects other than and except the said Governor and Company, and the said William M'Gillivray, Simon M'Gillivray and Edward Ellice, and the persons authorised to carry on exclusive trade by them

# SELECT COMMITTEE ON THE HUDSON'S BAY COMPANY. 427

them on Grant, shall trade with the Indians within such limits during the period of this our Grant. Appendix, No. 11.

Given at our Court at Carlton-house the 5th day of December 1821, in the second year of our reign.

By His Majesty's command.  
(L.S.) Bathurst.

## — No. 12. —

COPY of a LETTER from the Secretary of the Committee of Privy Council for Trade to the Governor of the Hudson's Bay Company.

Office of Committee of Privy Council for Trade,  
Whitehall, 20 January 1838.

No. 12..

Sir,  
I AM directed by the Lords of the Committee of Privy Council for Trade to inform you, that they have received from Lord Glenelg your application on behalf of the Hudson's Bay Company for a renewal of the exclusive right of trading granted to the Company by the Royal License dated the 6th of December 1821, with the view of leaving the arrangement of the terms of such renewal to the determination of this Board. Letter from the Secretary of the Committee of Privy Council for Trade to the Governor of the Hudson's Bay Company, 20 January 1838.

Their Lordships, not feeling themselves qualified, without further information than is contained in the papers transmitted to them from the Colonial Office, to settle this matter satisfactorily, I am directed to request that you will favour this Board with some account of the past and present state of the Company, with reference to its capital, and the dividends paid thereon, as well as any other circumstances that may assist the Board in coming to a decision upon the terms of the proposed License.

I am, &c.  
(signed) Denis Le Marchant.

## — No. 13. —

COPY of a LETTER from the Governor of the Hudson's Bay Company to the Lords of the Committee of Privy Council for Trade.

My Lords,

Hudson's Bay House, 7 February 1838.

No. 13.

I HAVE the honour to acknowledge a letter addressed to me by your Lordships' direction, through Mr. Le Marchant, under date 20th ult., wherein you inform me that you have received from Lord Glenelg my application on behalf of the Hudson's Bay Company for a renewal of the exclusive right of trade granted to the Company by the Royal License dated 6th December 1821, with the view of leaving the arrangement of the terms of such renewal to the determination of your Board, and that your Lordships, not feeling qualified without further information than is contained in the papers transmitted to you from the Colonial Office to settle the matter satisfactorily, request that I should furnish some account of the past and present state of the Company, with reference to its capital, and the dividends paid thereon, as well as any other circumstances that may assist the Board in coming to a decision on the terms of the proposed License. Letter from the Governor of the Hudson's Bay Company to the Lords of the Committee of Privy Council for Trade, 7 February 1838.

In accordance with that request, I now beg to lay before you the following particulars, which I have no doubt will satisfy you that the Hudson's Bay Company have every reason confidently to expect that Her Majesty's Government will be pleased to grant them a renewal of the License of exclusive trade of the country denominated "Indian Territories," beyond the limits of the Company's Charter, without any rent or pecuniary consideration being required for the same, nor subject to any other condition than that proposed by the accompanying letter from the Secretary of State for the Colonies.

The Hudson's Bay Company was incorporated in the year 1670, under a Royal Charter of Charles the Second, which granted them certain territories in North America described in that Charter, together with exclusive privileges of trade, &c. &c. Between the years 1670 and 1690, a period of 20 years, the profits appear to have been very large, as, notwithstanding losses sustained by the capture of the Company's establishments by the French in the years 1682 to 1688, amounting to 118,014*l.*, they were enabled to make a payment to the proprietors in 1684 of 50 per cent.; another payment in 1688 of 50 per cent.; and of a further payment in 1689 of 25 per cent.

In 1690 the stock was trebled without any call being made, besides affording a payment to the proprietors of 25 per cent. on the increased or newly created stock; in the years 1692, 1694, 1696 and 1697, the Company incurred loss and damage, to the amount of 97,500 *l.*, by other captures of their establishments by the French.

These losses appear to have rendered it necessary for the Company to borrow money, on which they paid six per cent. interest; they were enabled, nevertheless, in 1720, again to treble their capital stock, with only a call of 10 per cent. on the proprietors, and, notwithstanding another heavy loss sustained, by the capture of their establishments by the French under La Perouse, in 1782, they appear to have been enabled to pay dividends of from 5 to 12 per cent., averaging nine per cent., and showing, as nearly as I am able to judge from

Appendix, No. 11. the defective state of the books during the past century, profits on the originally subscribed capital stock actually paid up of between 60 and 70 per cent. per annum from the year 1690 to 1800.

Up to this period the Hudson's Bay Company had no great cause for complaint of interference with their inland trade, and if they had been left unmolested, or been protected in the undisturbed possession of it, and of the rights and privileges vested in them by their Charter, they would in all probability have continued in the enjoyment of the advantages they were then deriving from their labours and exertions in those remote and little frequented wilds.

But about that period their rights of territory and trade were invaded by rival traders, which led to animosities, feuds and breaches of the peace, extending to the loss of lives, and considerable destruction of property, injurious to the native Indians, by reason of the unrestricted use of spirituous liquors and other demoralising influence, consequent on opposition, and so prejudicial to the interests of the Hudson's Bay Company, that between 1800 and 1821, a period of 22 years, their dividends were, for the first eight years, reduced to four per cent.; during the next six years they could pay no dividend at all; and for the remaining eight years they could only pay four per cent.

During a long succession of years, while this destructive contest existed, very frequent applications for protection and redress were made by the Hudson's Bay Company to his Majesty's Government, as may be seen by reference to the records of the Colonial Office, but without avail, and scenes of bloodshed, robbery and demoralisation, revolting to humanity, were allowed to pass without any effectual measures being taken to punish or prevent them, although the Hudson's Bay Company had every claim on Government to support them in their just rights of territory and trade.

At length, in the year 1821, when the violence of the contest had nearly exhausted the means of both parties, an arrangement was entered into between them, by which their interests became united, under the management of the Hudson's Bay Company.

The proprietary were then called upon to pay 100 l. per cent. upon their capital, which, with the stock in trade of both parties in the country, formed a capital stock of 400,000 l., on which four per cent. dividend was paid in the years 1821 to 1824, and from that time to the present, half-yearly dividends of five per cent., with a bonus of 10 per cent. from the year 1828 to 1832, and since that an average bonus of six per cent. until last year, when none was paid.

When your Lordships come to consider the very hazardous nature of the trade, requiring a degree of enterprise unknown to almost any other business, together with the heavy losses to which the parties interested therein were subjected for a long series of years, from the want of protection and support, which they had a right to expect from his Majesty's Government, I feel assured your Lordships will join me in opinion that the profits now arising from the business are no more than a fair return for the capital employed, and the services the Hudson's Bay Company are rendering the mother country in securing to it a branch of commerce which they are at present wresting out of the hands of foreigners, subjects of Russia and the United States of America, but which the Company would have been unable to prosecute, had they not been protected by the License of exclusive trade they now hold.

In looking at these profits, however, it should be borne in mind that Hudson's Bay stock, in like manner as in all other stocks, changes hands very frequently, and that the price of the stock is entirely regulated by the return it produces, thereby affording to the bulk of the present proprietors little more than six per cent. for their money.

In order to secure to the Company the enjoyments of the rights of territory and trade granted to them by their Charter, and to prevent a recurrence of the evils attendant on rivalry or competition in trade that existed for so long a time, and were productive of such disastrous consequences in so remote a country, that the difficulty of bringing offenders to justice amounted to an impossibility of giving effect to the laws, the Act of 1st & 2d Geo. 4, c. 66, was passed, and under the provisions of that Act, a License was granted to the Hudson's Bay Company for the exclusive privileges of trade in the districts of country denominated the Indian Territories, for a term of 21 years.

That the peace and tranquillity of the country has been restored; that the abuse of spirituous liquors has been discontinued; that the condition of the native population is greatly ameliorated; and that the commercial interests of Great Britain are improving under the management of the Hudson's Bay Company, through the provisions of that Act, will appear manifest by the report of Mr. Simpson, the governor of the Company's territories, and their principal representative in North America, which accompanied my application of 10th February last to Lord Glenelg (*vide* page 417), copies of which are herewith transmitted for your Lordship's information.

The Act in question, while extending the criminal and civil jurisdiction of the courts in Canada to the Company's territories, held under their Charter, and to the Indian territories comprehended in the License of exclusive trade, contemplated the necessity of establishing courts of record, under the great seal, for the trial of criminal and civil offences, and for the appointment of proper officers to act in aid of such courts within the territories of the Hudson's Bay Company and the Indian territories.

Had the establishment of such courts been necessary, it would have subjected the Government to a heavy expense in the payment of Commissioners and in the maintenance of legal authority; and from the state of the country while open to competition, it is natural to infer, that such would have been necessary had the exclusive right of trade

not

not been in the hands of the Hudson's Bay Company, who by their good management have rendered those measures uncalled for, thereby occasioning a considerable saving of expense, to which, under other circumstances, the mother country would have been exposed. Appendix, No. 11.

Hitherto the peace of the country has been maintained at a moderate expense to the Hudson's Bay Company; but the population of their principal agricultural settlement of Red River is now so much increased, amounting to upwards of 5,000 souls, principally Indians and half-castes, belonging to all the interior tribes, who are very difficult of management, that it has become necessary to establish a more regular form of government and administration of the laws than heretofore. These measures are now in progress, and it is estimated that the attendant expenses will exceed 5,000 *l.* per annum, which will be borne by the Company, although they might, with great propriety, call on Her Majesty's Government to relieve them from that charge.

By reference to Mr. Simpson's report, your Lordships will observe, that the Company are incurring other heavy expenses, which are augmenting from year to year, connected with that infant settlement, from which they derive no benefit in regard to trade, as there are no fur-bearing animals in that part of the country, but which in due time promises to become valuable to the mercantile interests of the mother country in the production of wool, flax, and other exports; while the population benefit by the change of habits of life that have been produced by a change of occupation, as the inhabitants have abandoned the chase, and now employ themselves in agricultural pursuits; while moral and religious instruction are afforded them by the Company's chaplains and schoolmasters.

This settlement, which affords so much benefit to the native population, requires the most vigilant attention on the part of the Company, as its inhabitants are of so mixed a character, and so little used to the restraints of civilised life, that mismanagement would inevitably lead to an outbreak among them, which would prove ruinous to their trade throughout the country.

Such outbreak had very nearly occurred last year, occasioning much apprehension in the minds of the Company, through the mischievous instigation of a man named "Dickson," styling himself, "Liberator of the Indian Race," who succeeded in assembling a number of leading half-breeds, and proceeded with them to Red River, with the view of raising that population, so as to seize the Company's depôts and trading posts, and taking possession of the trade and country, as may be seen by reference to the accompanying correspondence with the Foreign Office; \* this I notice, in order to show how precarious the Company's tenure of their trade is, and how much they require the countenance and support of Her Majesty's Government, in affording them protection from the intrusion of strangers.

The principal benefit the Company derive from the exclusive License of trade is the peaceable occupation of their own proper territory, from which they draw nearly the whole of the profits of their trade, and for the protection of which they have a right to look to Government in common with the rest of Her Majesty's subjects, as the trade of the country embraced in the Royal License is as yet of very little benefit to them, and affords greater advantages to the mother country in the employment of shipping, and in the revenue arising from imports and exports, than the Company derive from it.

The country denominated "Indian Territories," comprehended in the Royal License, is principally situated on the west side of the Rocky Mountains, the most valuable part thereof being the north-west coast, bordering on the shores of the Pacific.

For many years previous to the grant of exclusive trade to the Hudson's Bay Company, the trade of that coast was engrossed by the subjects of the United States of America and Russia, the only establishment occupied by British traders being "Astoria," afterwards named "Fort George," at the mouth of the Columbia River, while no attempt was made, through the means of shipping, to obtain any part of the trade of the coast; and so unprofitable was it in the years 1818, 1819, 1820, 1821 and 1822, and so difficult of management, that several of the leading and most intelligent persons in the country strongly recommended that the Company should abandon it altogether. The Company, however, felt that the honour of the concern would, in a certain degree, be compromised were they to adopt that recommendation, holding, as they did under Government the License in question, and with a degree of energy and enterprise, which I feel assured your Lordships will admit, reflects much credit on themselves and on their officers and servants in the country, they directed their efforts so vigorously to that branch of the business, that they compelled the American adventurers, one by one, to withdraw from the contest, and are now pressing the Russian Fur Company so closely, that although that association is supported by its government to the extent of affording them the assistance of a strong military guard at each of their establishments, which, with their shipping, are officered by naval and military officers of the Imperial army and navy, we are gaining ground upon them, and hope at no very distant period to confine them to the trade of their own proper territory.

The outlay and expense attending this competition in trade are so heavy, that the profits are yet but in perspective, none worthy of notice having been realised, the result showing some years a trifling loss, and in others a small gain, fluctuating according to the degree of activity

\* As the Correspondence with the Foreign Office referred to does not relate to the renewal of the Grant to the Hudson's Bay Company, it has not been appended to these Papers.

Appendix, No. 11. activity with which the contest is maintained ; but by energy and perseverance, we hope, in due time, to bring it to a more favourable issue, if the facilities of protection now required of Her Majesty's Government be afforded.

This trade, nevertheless, affords employment to about 1,000 men, occupying 21 permanent trading establishments, two migratory, trading and trapping expeditions, a steam vessel, and five sailing vessels from 100 to 300 tons burthen, all armed ; and so dangerous is the trade, that I lament to say that it has not been unattended with loss of life.

In order to afford your Lordships an opportunity of forming some idea of the strength of opposition we have to contend against, and the difficulty we have to encounter in this branch of business, I beg to enclose copy of a memorandum\* I lately had occasion to hand to Her Majesty's Secretary of State for Foreign Affairs, in reference to the operations of the Russian in that quarter.

That the Hudson's Bay Company have the strongest possible claims upon Her Majesty's Government for a renewal of the exclusive License of trade, without any rent or pecuniary consideration whatsoever, cannot, I should hope, admit of a question after the explanation I have given ; but when it is considered that the greater part of the country to which the License applies is Indian country, opened by treaty to citizens of the United States of America, as well as to British subjects, and, consequently, the License of exclusive trade does not protect the Company from the competition of citizens of the United States, it must appear evident that no substantial benefit is likely to arise from the boon we are soliciting, beyond the probable means of affording peace to our own territories, in the tranquillity of which Her Majesty's Government ought to feel as deep an interest as the stockholders of the Hudson's Bay Company.

If further proof be necessary that we are not in the undisturbed enjoyment of the fur trade, I beg to hand to your Lordships copy of applications we have lately had occasion to make to the Secretary of State for Foreign Affairs for redress of grievances sustained by the aggression of Russian authorities at Sukine, on the north-west coast, in the year 1834, by the violation of a treaty between Great Britain and his Imperial Majesty, involving a claim of 20,000*l.*, loss and damage actually sustained by the Hudson's Bay Company, for which, as yet, they have received no indemnification, although they confidently look to obtain such through the efforts of Her Majesty's Secretary of State for Foreign Affairs.

On the grounds of promoting discovery and science, we have likewise a strong claim on the countenance and support of Her Majesty's Government, as at this moment the Company have an expedition on foot, quite unconnected with any ulterior views towards any pecuniary advantage or benefit arising from trade, but solely for the honour of completing the survey of the northern coast of America, at a cost to the Company, before it can be accomplished, of several thousand pounds,—an object that has attracted the attention not only of Great Britain, but of Russia and other foreign powers.

I could enlarge on the claims of the Hudson's Bay Company to the privileges I am now soliciting at your Lordship's hands, but I should hope that sufficient has been already said to induce you to concur with the Secretary of State for the Colonies, in granting a renewal of the exclusive License of trade to the Hudson's Bay Company, on the conditions detailed in Mr. Stephen's letter to me of 19th September last, by Lord Glenelg's directions, already referred to, and with the conditions of which I am, on behalf of the Hudson's Bay Company, ready to comply.

Allow me to hope for an early and favourable consideration of this subject, as several important arrangements, in reference to the government of the country, the formation of a police corps, the mode of administering justice, and further measures for more effectually resisting the encroachments of the Russians on the British territory, all involving a heavy outlay of money, are now pending, and cannot be determined until I am favoured with your Lordship's decision on this subject.

I have, &c.  
(signed) *J. H. Pelly*, Governor.

— No. 14. —

COPY of a LETTER from the Under-Secretary of State for the Colonies to the Governor of the Hudson's Bay Company.

No. 14.

Letter from the Under-Secretary of State for the Colonies to the Governor of the Hudson's Bay Company, 3 February 1838.

Sir,

Downing-street, 3 February 1838.

WITH reference to your letter of the 25th October last, I am directed by Lord Glenelg to inform you, that his Lordship, having attentively considered the draft of the Royal License, granting to the Hudson's Bay Company the exclusive trade with the Indians in certain parts of North America for a further period of 21 years, and the draft of the Covenant for the performance of the conditions contained in that License which you have transmitted, will be prepared, subject to one alteration, to advise Her Majesty to direct the issue of Her Royal License in the terms which you have proposed. The alteration to which I have alluded is

\* As the Memorandum referred to does not relate to the renewal of the Grant to the Hudson's Bay Company, it has not been appended to these Papers.

in the final clause, respecting the erection of colonies within the territory comprised in the grant, for which Lord Glenelg would propose to substitute the following words:—

"Provided nevertheless, and we do hereby declare our pleasure to be, that nothing herein contained shall extend or be construed to extend to prevent the establishment by us, our heirs or successors, within the territories aforesaid, or any of them, of any colony or colonies, province or provinces, or for annexing any part of the aforesaid territories to any existing colony or colonies, to us in right of our Imperial Crown belonging, or for constituting any such form of civil government as to us may seem meet within any such colony or colonies, province or provinces; but with a view to the establishment of any such colony or colonies, province or provinces, or to the introduction of any such form of civil government, we do hereby reserve to us, our heirs and successors, full power and authority to revoke these presents, or any part thereof, in so far as the same may embrace or extend to any of the territories aforesaid, which may hereafter be comprised within any such colony or colonies, province or provinces as aforesaid."

If you should be prepared, on behalf of the Hudson's Bay Company, to accede to this alteration, the only question which will remain to be decided will be the amount of the rent which, in conformity with the 2d clause of the Act 1 & 2 Geo. 4, c. 66, is to be paid by the Company after the expiration of the first period of 21 years from the date of their original grant. This is a question lying exclusively within the cognizance of the Lords Commissioners of the Treasury; and Lord Glenelg has accordingly referred it for their Lordships' consideration. You will probably receive from their Lordships an early communication on the subject.

I have, &c.  
(signed) Geo. Grey.

For Correspondence  
relative to the  
Amount of Rent  
vide Nos. 16 to 20.

— No. 15. —

COPY of a LETTER from the Governor of the Hudson's Bay Company to the Under-Secretary of State for the Colonies.

Sir,

Hudson's Bay House, 7 February 1838.

I HAVE the honour to acknowledge your letter of 3d instant, with reference to my letter of 25th October, wherein you say that you are directed by Lord Glenelg to inform me, "that his Lordship having attentively considered the draft of the Royal License, granting to the Hudson's Bay Company the exclusive trade with the Indians in certain parts of North America for a further period of 21 years, and the draft of the Covenant for the performance of the conditions contained in that License, will be prepared, subject to one alteration, to advise Her Majesty to direct the granting of the Royal License on the terms which you have proposed."

And further saying, that the alteration to which you "have alluded is in the final clause, respecting the erection of colonies within the territory comprised in the Grant, for which Lord Glenelg would propose to substitute the following words," &c. &c.

In reply, I beg to say I have considered the alteration proposed by Lord Glenelg, and that I am prepared, on behalf of the Hudson's Bay Company, to accept the License, subject to the alteration in question.

I have, &c.  
(signed) J. H. Pelly.

No. 15.

Letter from the Governor of the Hudson's Bay Company to the Under-Secretary of State for the Colonies, 7 February 1838.

— No. 16. —

COPY of a LETTER from the Under-Secretary of State for the Colonies to A. Y. Spearman, Esq.

Sir,

Downing-street, 3 February 1838.

I AM directed by Lord Glenelg to inform you, that in the month of February 1837, his Lordship received from the Hudson's Bay Company the accompanying letter, soliciting a renewal of the Grant of exclusive trade, which they hold under the provisions of the Act 1 & 2 Geo. 4, c. 66.

This letter having been referred for the consideration of the Lords of the Committee of Privy Council for Trade, their Lordships have expressed their opinion that, adverting to the peculiar nature of the trade in question, the application of the Hudson's Bay Company should be complied with.

0.24—Sess. 2.

3 H 4.

I enclose

No. 16.

Letter from the Under-Secretary of State for the Colonies to A. Y. Spearman, Esq., 3 February 1838.

10 February 1837,  
vide page 417.



Appendix, No. 11.

I enclose for the information of the Lords Commissioners of the Treasury, copies of the correspondence on this subject, which has passed between this department and the Board of Trade.

You will observe that in renewing the Grant to the Hudson's Bay Company, it is intended to insert in that instrument a clause authorising Her Majesty to erect, within the limits of the Grant, any new colonies or provinces which Her Majesty may be disposed to establish there; and that if any such province or colony should be so established, the Charter should thenceforth cease to be in force, so far as respects the territories which may be included within the limits of the new colony.

This condition having been communicated to the Governor of the Hudson's Bay Company, he has forwarded to Lord Glenelg the draft of a Charter, herewith enclosed, embracing a provision to that effect; as, however, this provision does not appear to be correctly expressed, Lord Glenelg proposes to substitute for it one in the following words:

"Provided nevertheless, and we do hereby declare our pleasure to be, that nothing herein contained shall extend, or be construed to extend, to prevent the establishment by us, our heirs or successors, within the territories aforesaid, or any of them, of any colony or colonies, province or provinces, or for annexing any part of the aforesaid territories to any existing colony or colonies to us, in right of our Imperial Crown, belonging, or for constituting any such form of civil government as to us may seem meet, within any such colony or colonies, province or provinces; but with a view to the establishment of any such colony or colonies, province or provinces, or to the introduction of any such form of civil government, we do hereby reserve to us, our heirs and successors, full power and authority to revoke the presents, or any part thereof, in so far as the same may embrace or extend to any of the territories aforesaid, which may hereafter be comprised within any such colony or colonies, province or provinces as aforesaid."

Assuming that this alteration will be accepted by the Hudson's Bay Company, another question remains to be decided—that, namely, of the rent to be demanded from the Company in conformity with the second section of the Act 1 & 2 Geo. 4, c. 66, after the expiration of the period of 21 years, for which their first Charter was granted: this is a question lying especially within the province of the Lords Commissioners of the Treasury; and I am therefore to request that you will move their Lordships to enter into communication with the Hudson's Bay Company for the purpose of concluding a satisfactory adjustment of it.

I have, &c.  
(signed) J. Stephen.

— No. 17. —

COPY of a LETTER from A. Y. Spearman, Esq., to the Under-Secretary of State for the Colonies.

No. 17.

Sir,

Treasury Chambers, 8 March 1838.

Letter from  
A. Y. Spearman,  
Esq., to the Under-  
Secretary of State  
for the Colonies,  
8 March 1838.

THE Lords Commissioners of Her Majesty's Treasury having had under their consideration your letter, dated 3d ultimo, with the enclosed application from the Hudson's Bay Company, soliciting a renewal of the Charter of exclusive trade which they hold under the provisions of the Act 1 & 2 Geo. 4, c. 66, I have it in command from the Lords Commissioners of Her Majesty's Treasury to request you will state to Lord Glenelg, with reference to the suggestion which his Lordship has submitted to this Board that they should enter into communication with that Company respecting the amount of rent which should be paid in conformity with the second section of the said Act for the proposed extension of their exclusive privilege of trading in the North-west territory of North America, that my Lords apprehend that no further information respecting the establishments or proceedings of the Company can be obtained than is afforded by the statements which have been submitted to his Lordship on behalf of the Company; and that as his Lordship has been enabled to determine on the expediency of renewing their exclusive privilege, he will be more competent than their Lordships to form an opinion as to the utility and value of the Company's establishments for the suppression of crime among the hunters and traders, the improvement and civilisation of the Indians, and the maintenance of the British influence in the territories to which the privilege in question extends; or the charges which the Company may incur for these purposes, and as to the propriety, with reference to these considerations, of demanding rent from the Company, or of granting the Charter which they apply for, with the reservation of the nominal rent only, provided for in the draft Grant which accompanied your letter.

I am directed, therefore, to request you will move Lord Glenelg to favour my Lords with a communication of the opinion which his Lordship may entertain on the subject.

I am, &c.  
(signed) A. Y. Spearman.

— No. 18. —

Appendix, No. 11.

COPY of a LETTER from the Under-Secretary of State for the Colonies to  
A. Y. Spearman, Esq.

Sir,

Downing-street, 14 March 1838.

I AM directed by Lord Glenelg to acknowledge your letter of the 8th inst., referring for his Lordship's decision the question of the rent to be paid by the Hudson's Bay Company for the Royal License of exclusive trade in certain parts of North America. In reply, I am to transmit to you herewith a copy of a letter on the same subject from the Secretary to the Board of Trade, and to inform you that Lord Glenelg concurs in the opinion of the Lords of the Committee of Privy Council for Trade, that the rent to be demanded from the Hudson's Bay Company should be merely nominal. I am, therefore, to request that you will move the Lords Commissioners of the Treasury to instruct their solicitors to co-operate with the proper officers of the Company in carrying the proposed arrangement into execution, with a due observance of all the necessary forms of law, and with a reference to the suggestions contained in my letter of the 3d ult.

I have, &amp;c.

(signed) J. Stephen.

No. 18.

Letter from the  
Under-Secretary  
of State for the  
Colonies to  
A. Y. Spearman,  
Esq.  
14 March 1838.

6 March.

— No. 19. —

COPY of a LETTER from Denis Le Marchant, Esq., to the Under-Secretary of State for the Colonies.

Office of Committee of Privy Council for Trade,  
Whitehall, 6 March 1838.

Sir,

WITH reference to your letter of the 15th August 1837, on the subject of the proposed License of exclusive trade to the Hudson's Bay Company, I am directed by the Lords of the Committee of Privy Council for Trade to request that you will inform Lord Glenelg that they have settled the terms of such License with the Governor of the Company, pursuant to his Lordship's desire, and in accordance with his Lordship's views, as expressed in your above-mentioned letter.

The accompanying draft Grant of License and Covenant have been submitted on behalf of the Company to this Board, and the same being, as far as their Lordships can judge, unexceptionably worded, their Lordships would recommend Lord Glenelg to obtain Her Majesty's assent to the Grant, upon the covenant being duly executed by the Company, and after both instruments shall have received the approval of the law officers of the Crown. Their Lordships have only further to observe, that they have communicated with Her Majesty's Commissioners of Woods and Forests on the question of the rent to be made payable to the Crown under the License, and the circumstances of the case having been laid before the Commissioners, they concurred with this Board in the propriety of such rent being only nominal.

I am, &amp;c.

(signed) Denis Le Marchant.

No. 19.

Letter from Denis  
Le Marchant, Esq.,  
to the Under-  
Secretary of State  
for the Colonies  
6 March 1838.

— No. 20. —

COPY of a LETTER from the Under-Secretary of State for the Colonies to  
Denis Le Marchant, Esq.

Sir,

Downing-street, 14 March 1838.

I AM directed by Lord Glenelg to acknowledge your letter of the 6th instant, enclosing the draft of a License of exclusive trade in certain parts of North America, the terms of which have been settled between the Hudson's Bay Company and the Lords of the Committee of Privy Council for Trade, and stating their Lordships' opinion that the rent to be demanded from the Company in return for this License should be merely nominal.

In reply, I am to inform you, that Lord Glenelg has referred the whole correspondence on this subject to the Lords Commissioners of the Treasury, expressing at the same time his concurrence in the views as to the rent expressed in your letter, and has requested their Lordships to direct their solicitors to take the necessary steps for concluding the proposed arrangements with all the proper forms of law.

I have, &amp;c.

(signed) J. Stephen.

No. 20.

Letter from the  
Under-Secretary  
of State for the  
Colonies to  
Denis Le Mar-  
chant, Esq.  
14 March 1838.

Appendix, No. 11.

— No. 21. —

COPY of a LETTER from the Assistant Secretary to the Lords of the Treasury to the Governor of the Hudson's Bay Company.

No. 21.  
Letter from the Assistant Secretary to the Lords of the Treasury to the Governor of the Hudson's Bay Company,  
7 June 1838.

Sir,  
I AM commanded by the Lords Commissioners of Her Majesty's Treasury to transmit to you herewith the grant of a License to trade for the Hudson's Bay Company; and I am to request that the Deed of Covenant on the part of the Company, duly executed in such manner as the solicitor of this Board may require, may be returned to this department.

Treasury Chambers, 7 June 1838.

I am, &c.  
(signed) A. Y. Spearman.

Enclosure in No. 21.

COVENANT by the Hudson's Bay Company for performance of Conditions and Reservations contained in the Crown Grant of even date.—(Dated 30 May 1838.)

Encl. in No. 21

WHEREAS Her Majesty hath, by an instrument under the hand and seal of the Secretary of State, the Right honourable Charles Lord Glenelg, bearing even date herewith, granted and given Her Royal License to us, the Governor and Company of Adventurers of England, trading into Hudson's Bay, and our successors, the exclusive privilege of trading with the Indians in all such parts of North America to the northward and to the westward of the lands and territories belonging to the United States of America as shall not form part of any of Her Majesty's provinces in North America, or of any lands or territories belonging to the United States of America, or to any European government, state or power, and hath secured to us, the said Governor and Company, and our successors, the sole and exclusive privilege, for the full period of 21 years from the date of the said grant, of trading with the Indians in all such parts of North America as aforesaid (except and with such restrictions as thereafter excepted), and hath thereby declared that no rent shall be required or demanded for or in respect of the said Grant or License, or any privileges given thereby, for the first four years of the said term of 21 years, and hath thereby reserved to Her Majesty, Her heirs and successors, for the remainder of the said period of 21 years the yearly rent of 5 s., to be paid by us, the said Governor and Company, and our successors, on the 1st day of June in every year, into Her Majesty's Exchequer, on account of Her Majesty, Her heirs and successors: We, therefore, the said Governor and Company of Adventurers of England trading into Hudson's Bay, do hereby covenant and bind ourselves and our successors, that we and they shall yearly and every year, and on every 1st day of June, from and after the expiration of the first four years of the said term of 21 years, and thenceforth during the continuance of the said Grant and License, pay or cause to be paid the said yearly rent of 5 s. into Her Majesty's Exchequer, and on the account of Her Majesty, Her heirs and successors, and that we and our successors shall, during the period of the said Grant and License, keep accurate registers of all persons employed by us or our successors in any parts of North America, and shall once in each year return to Her Majesty's Secretary of State accurate duplicates of such registers; and we, the said Governor and Company, do hereby bind ourselves and our successors in the penal sum of 5,000 l., that we will, as far as in us may lie, ensure the due execution of all criminal and civil processes by the officers and persons legally empowered to execute such process within all the territories for the time being included in the said grant, and for the producing or delivering into safe custody for the purpose of trial of any person in our employ or acting under our authority within the said territories who may be charged with any criminal offence; and we do also hereby covenant that we will, as soon as the same can be conveniently done, make and submit to the consideration and approval of Her Majesty such rules and regulations for the management and carrying on the said fur trade, and the conduct of the persons employed by us therein, as have appeared or may appear to us to be most effectual for gradually diminishing and ultimately preventing the sale or distribution of spirituous liquors to the Indians, and for promoting their moral and religious improvement. Witness the seal of the said Company the 30th day of May 1838.

By order of the Governor and Committee,

(L.S.) (signed) W. G. Smith,  
Assistant Secretary.

Sealed under the common seal of the within-mentioned Governor and Company, and delivered by William Gregory Smith, their Assistant Secretary, pursuant to their order and appointment, being first duly stamped in the presence of

(signed) Thomas Crosse,  
Threadneedle-street, Solicitor.

## Appendix, No 12.

Appendix, No. 12.

PETITION from the Board of TRADE of the City of *Toronto* to the Legislative Council, presented 20th April 1857.

To the Honourable the Legislative Council of the Province of Canada, in Parliament assembled.

The Petition of the Board of Trade of the City of Toronto,

Humbly sheweth,

That an association of traders, under the title of "The Honourable Hudson's Bay Company," during a long period of time have claimed and exercised a sovereignty in the soil, together with the right of exclusive trade over a large portion of the province of Canada, and that the exercise of such claim is subversive to all those rights and privileges which were guaranteed to the inhabitants of Canada by Royal proclamation immediately after the conquest of the country, and subsequently secured to them by those acts of the British Parliament which gave to Canada a constitutional government.

Your petitioners further show, that up to the year 1763, when by the Treaty of Fontainebleau Canada was ceded to the British Crown, the whole region of country extending westward to the "Pacific Ocean," and northward to the shore of the "Hudson's Bay," had continued in the undisputed possession of the crown of France for a period of two centuries, and was known as La Nouvelle France, or Canada;

That during the half century succeeding the treaty above alluded to, an extensive trade and traffic was continued to be carried on throughout the country, described by commercial companies and traders who had established themselves there under authority of the crown of France, and that a trade was likewise, and at the same period, carried on by other traders of British origin, who had entered into that country and formed establishments there, consequent upon its cession to the British Crown;

That such trade and traffic was carried on freely and independent of any restrictions upon commercial freedom, either as originally enacted by the crown of France, or promulgated by that of Great Britain;

That in 1783 nearly all the aforesaid traders and companies united and formed an association, under the name of "The North-west Company of Montreal," which said company made many important discoveries, and extended their establishments throughout the interior of North America, and to within the Arctic circle and to the Pacific Ocean;

That in the year 1821 the said North-west Company united with the so-called Hudson's Bay Company, a company to all intents and purposes foreign to the interests of Canada, and owing no responsibility to her;

That under the name of the Honourable Hudson's Bay Company they advance claims and assume rights in virtue of an old charter of Charles II., granted in 1669, that bearing a date nearly 100 years before that this country had ceased to be an appendage to the crown of France, it pertained to that of Great Britain;

That under such pretended authority said Hudson's Bay Company assume a power to grant away and sell the lands of the Crown, acquired by conquest and ceded to it by the Treaty of 1673;

That said Company have also assumed the power to enact tariffs, collect customs dues, and levy taxes against British subjects, and have enforced unjust and arbitrary laws, in defiance of every principle of right and justice;

Your petitioners more especially pray the attention of your Honourable House to that region of country designated as the Chartered Territory, over which said Company exercises a sovereignty in the soil as well as a monopoly in the trade, and which said Company claims as a right that insures to them *in perpetuo*, in contradistinction to that portion of country over which they claim an exclusive right of trade but for a limited period only.

Whilst your petitioners believe that this latter claim is founded upon a legal right, they humbly submit that a renewal of such license of exclusive trade is injurious to the interests of the country so monopolised, and in contravention of the rights of the inhabitants of Canada.

Your petitioners therefore humbly pray that your Honourable House will take into consideration the subject of how far the assumption of power on the part of the Hudson's Bay Company interferes with Canadian rights, and as to the necessity of more particularly declaring the boundaries of Canada on the westward and on the northward, and of extending throughout the protection of Canadian laws, and the benefits of Canadian institutions.

And your petitioners, as in duty bound, will ever pray.

(signed)

Thomas Clarkson, President.  
Charles Robertson, Secretary.

## Appendix, No. 13.

## Appendix, No. 13.

LETTER from *E. A. Meredith*, Esq., to the Hon. Chief Justice *Draper*, C.B.

Sir,

Secretary's Office, Toronto, 20 February 1857.

I HAVE the honour, by command of his Excellency the Governor-general, to communicate to you hereby his Excellency's instructions for your guidance, in connexion with your mission to England as the special agent appointed to represent Canadian rights and interests before the proposed Committee of the House of Commons, on the subject of the Hudson's Bay territory.

I am to premise, however, that as it is impossible to anticipate the nature of the evidence that may be taken, or the conclusion that may be arrived at by the Committee, or the course which Parliament or Her Majesty's Government may think proper to adopt on the report of the Committee, it is not in his Excellency's power to convey to you at present any instructions of a precise or definite character.

His Excellency has, however, entire confidence in your knowledge and discretion, and he has the more readily intrusted this important mission to you, inasmuch as your high position in the colony removes you from all the ordinary influences of local or party consideration.

Immediately on your arrival in London you will place yourself in communication with the Right Honourable the Secretary of State for the Colonies (to whom these instructions have been communicated), and as soon as any Parliamentary Committee on the subject of the Hudson's Bay Company or Territory is constituted, you will take steps for offering to afford all information in your power relating to the interest or claims of Canada.

You will consider it as a part of your duty to watch over those interests by correcting any erroneous impressions, and by bringing forward any claims of a legal or equitable kind which this province may possess on account of its territorial position or past history.

You will not consider yourself as authorised to conclude any negotiation, or to assent to any definite plan of settlement affecting Canada, without reporting the particulars of the same, and your own views thereon, to his Excellency in Council.

His Excellency has full and complete confidence in the justice and consideration of Her Majesty's Government, and he is sure that the interests and feelings of Canada will be consulted so far as is consistent with right and justice. The people of Canada desire nothing more.

His Excellency feels it particularly necessary that the importance of securing the north-west territory against the sudden and unauthorised influx of immigration from the United States should be strongly pressed. He fears that the continued vacancy of this great tract, with a boundary not marked on the soil itself, may lead to future loss and injury both to England and Canada. He wishes you to urge the expediency of marking out the limits, and so protecting the frontier of the lands above Lake Superior, about the Red River, and from thence to the Pacific, as effectually to secure them against violent seizure or irregular settlement until the advancing tide of emigrants from Canada and the United Kingdom may fairly flow into them, and occupy them as subjects of the Queen, on behalf of the British empire.

With these objects in view, it is especially important that Her Majesty's Government should guard any renewal of a license of occupation (should such be determined on), or any recognition of rights by the Company, by such stipulations as will cause such license or such rights not to interfere with the fair and legitimate occupation of tracts adapted for settlement.

It is unnecessary, of course, to urge in any way the future importance of Vancouver's Island as the key to all British North America on the side of the Pacific, situated as it is between the extensive seaboard of Russian America and the vast territory in the hands of the United States.

His Excellency cannot foresee the course which a Committee of the House of Commons may see fit to pursue in the proposed inquiry, or determine beforehand on what points evidence may be required.

At any moment, however, his Excellency will be ready to attend to your suggestions, and supply such information, either by documentary evidence, or by witnesses from Canada, as you may think necessary, and he may be able to send over.

You will, of course, act upon such further instructions as may from time to time be conveyed to you by his Excellency's directions.

I have, &c.

(signed)

*E. A. Meredith,*

Assistant Secretary.

## Appendix, No. 14.

Appendix, No. 14.

LETTER from *R. G. Smith, Esq.*, to Major *Caldwell*, Governor of *Assiniboin*.

Sir,

Hudson's Bay House, London, 5 April 1854.

I AM directed by the Governor and committee to acknowledge the receipt of your several letters, dated 2d and 18th November, and 12th December, with their respective enclosures.

The Governor and committee approve of the appointment of a Board of Works for the purpose of attending to the roads and bridges in the settlement, and are glad to find that the councillors are on the whole working harmoniously, and, they trust, beneficially to the interests of the inhabitants.

They note your wish for the appointment of a good surveyor, and have desired Sir George Simpson to look out for a suitable person in Canada; but it is doubtful whether he will succeed in obtaining one this season.

The Governor and committee trust that the course you pursued with the five deserters from the service of the fur trade will have a good effect in preventing such conduct in future.

The Minutes of Council held on the 18th October and 8th December are approved of.

With respect to your inquiry as to the competency of the Court of Assiniboin to adjudicate in civil cases exceeding the amount of 200*l.*, I am to inform you that that court being held under the authority of the charter within the limits of Rupert's Land, its powers are not restricted as to the amount upon which adjudication may be made, the rights held under the charter being reserved by the last clause of the Act Geo. 4, c. 66.

I am also directed to inform you, with reference to the petition of the Presbyterian congregation of Red River, that neither the Governor and Council of Assiniboin, nor the Governor and committee of the Hudson's Bay Company, have the power of incorporating any body of men for any purpose whatever. The property held by the Presbyterian congregation must therefore be vested in trustees, as it is at present; and you will be pleased to communicate this to the parties interested.

Mr. F. G. Johnson, Q. C., of the Montreal Bar, who has been appointed recorder of Rupert's Land, assessor and legal adviser to the Governor of Assiniboin, and to the Company, will proceed by the spring canoes to Red River, and will assume the law library now in the possession of Mr. Thorn.

From the accounts they have had of Mr. Johnson's ability and disposition, the Governor and committee have every expectation that he will act cordially with you for the general benefit of the settlement under your charge.

The account you give of the abundant supply of agricultural and plain provisions is very satisfactory; and, trusting that nothing may occur to disturb the peace and prospects of the settlement,

I have, &c.  
(signed) *R. G. Smith*,  
Assistant Secretary.

## Appendix, No. 15.

Appendix, No. 15.

PETITION of Inhabitants and Natives of the Settlement situated on the Red River,  
in the Assiniboin Country, British North America.

To the Honourable the Legislative Assembly of the Province of Canada, in  
Parliament assembled.

The Petition of the undersigned Inhabitants and Natives of the Settlement situated on the  
Red River, in the Assiniboin Country, British North America,

Humbly sheweth,

That many years ago a body of British emigrants were induced to settle in this country under very flattering promises made to them by the late Earl of Selkirk, and under certain contracts.

All those promises and contracts which had led them to hope that, protected by British laws, they would enjoy the fruits of their labour, have been evaded.

On the coalition of the rival companies, many of us, Europeans and Canadians, settled with our families around this nucleus of civilisation in the wilderness, in full expectation

Appendix, No. 15. that none would interrupt our enjoyment of those privileges which we believe to be ours by birthright, and which are secured to all Her Majesty's subjects in any other British colony.

We have paid large sums of money to the Hudson's Bay Company for land, yet we cannot obtain deeds for the same. The Company's agents have made several attempts to force upon us deeds which would reduce ourselves and our posterity to the most abject slavery under that body. As evidence of this, we append a copy of such deeds as have been offered to us for signature.

Under what we believe to be a fictitious charter, but which the Company's agents have maintained to be the fundamental law of "Rupert's Land," we have been prevented the receiving in exchange the peltries of our country for any of the products of our labour, and have been forbidden giving peltries in exchange for any of the imported necessities of life, under the penalty of being imprisoned, and of having our property confiscated; we have been forbidden to take peltries in exchange even for food supplied to famishing Indians.

The Hudson's Bay Company's clerks, with an armed police, have entered into settlers' houses in quest of furs, and confiscated all they found. One poor settler, after having his goods seized, had his house burnt to the ground, and afterwards was conveyed prisoner to York Factory.

The Company's first legal adviser in this colony has declared our navigating the lakes and rivers between this colony and Hudson's Bay with any articles of our produce to be illegal. The same authority has declared our selling of English goods in this colony to be illegal.

On our annual commercial journeys into Minnesota, we have been pursued like felons by armed constables, who searched our property, even by breaking open our trunks: all furs found were confiscated.

This interference with those of aboriginal descent had been carried to such extent as to endanger the peace of the settlement.

Thus we, the inhabitants of this land, have been and are constrained to behold the valuable commercial productions of our country exported for the exclusive profit of a company of traders who are strangers to ourselves and to our country.

We are by necessity compelled to use many articles of their importation, for which we pay from one hundred to four hundred per cent. on prime cost, while we are prohibited exporting those productions of our own country and industry, which we could exchange for the necessities of life.

This country is governed and legislated for by two distinct Legislative Councils, in constituting of which, we have no voice, the members of the highest holding their office of councillors by virtue of rank in the Company's service. This body passes laws affecting our interest; as, for instance, in 1845 it decreed that 20 per cent. duty would be levied on the imports of all who were suspected of trading in furs; this duty to be paid at York Factory. Again, in 1854, the same body passed a resolution imposing 12½ per cent. on all the goods landed for the colony at York Factory.

The local legislature consists of the Governor, who is also judge, and who holds his appointments from the Company: they are appointed by the same body, and are, with one or two exceptions, to a greater or less extent dependent on that body. This Council imposes taxes, creates offences, and punishes the same by fines and imprisonments, (*i. e.*) the Governor and Council make the laws, judge the laws, and execute their own sentence. We have no voice in their selection, neither have we any constitutional means of controlling their action.

Our lands are fertile, and easily cultivated, but the exclusive system of Hudson's Bay Company effectually prohibits the tiller of the soil, as well as the adventurer in any other industrial pursuit, from devoting his energies to those labours which, while producing to the individual prosperity and wealth, contribute to the general advantage of the settlement at large.

Under this system our energies are paralysed, and discontent is increasing to such a degree, that events fatal to British interest, and particularly to the interest of Canada, and even to civilisation and humanity, may soon take place.

Our country is bordering on Minnesota territory: a trade for some years has been carried on between us. We are there met by very high duties on all articles which we import into that territory, the benefits of the Reciprocity Treaty not being extended to us. Notwithstanding this, the trade has gone on increasing, and will continue to do so; we have already great cause to envy those laws and those commercial advantages which we see enjoyed by our neighbours, and which, wherever they exist, are productive of prosperity and wealth.

As British subjects, we desire that the same liberty and freedom of commerce, as well as security of property, may be granted to us as is enjoyed in all other possessions of the British Crown, which liberty is become essentially necessary to our prosperity, and to the tranquillity of this colony.

We believe that the colony in which we live is a portion of that territory which became attached to the Crown of England by the Treaty of 1763, and that the dominion heretofore exercised by the Hudson's Bay Company is an usurpation antagonistic to civilisation and to the best interests of the Canadian people, whose laws being extended to us, will guarantee the enjoyment of those rights and liberties which would leave us nothing to envy in the institutions of the neighbouring territory.

When we contemplate the mighty tide of immigration which has flowed towards the north these six years past, and has already filled the valley of the Upper Mississippi with settlers, and

and which will this year flow over the height of land and fill up the valley of the Red River, is there no danger of being carried away by that flood, and that we may thereby lose our nationality? We love the British name! We are proud of that glorious fabric, the British Constitution, raised by the wisdom, cemented and hallowed by the blood of our forefathers.

We have represented our grievances to the Imperial Government, but through the chicanery of the Company and its false representations we have not been heard, and much less have our grievances been redressed. It would seem, therefore, that we have no other choice than the Canadian plough and printing press, or the American rifle and Fugitive Slave law.

We, therefore, as dutiful and loyal subjects of the British Crown humbly pray that Your Honourable House will take into your immediate consideration the subject of this our petition, and that such measures may be devised and adopted as will extend to us the protection of the Canadian Government, laws and institutions, and make us equal participators in those rights and liberties enjoyed by British subjects in whatever part of the world they reside.

Wherefore, your petitioners will ever pray.

(signed) *Roderick Kennedy,*  
and 574 others.

#### AGREEMENT.

THIS indenture, made the 13th day of March, in the year of our Lord 1844, between the Governor and Company of Adventurers of England, trading into Hudson's Bay, of the one part, and John Slater, of Red River settlement, farmer, of the other part. Whereas the said John Slater is desirous of becoming a settler upon the said hereinafter described or intended so to be, being certain part of a territory in North America, belonging to the said Governor and Company, and held under the Crown by charter. Now therefore, this indenture witnesseth, that in consideration of the said John Slater having acquired right to the title formerly held by Peter Erasmus to one of the undermentioned parcels of land, and of the said John Slater's past services as regards the other parcel of land, and in consideration also of the covenants hereinafter contained on the part of the said John Slater, they the said Governor and Company do hereby grant, demise and lease unto the said John Slater, his executors, administrators and assigns, 50 statute acres, with four chains frontage, of that parcel of land described in the survey of Red River settlement, as No. 123, and also 50 statute acres, with four chains frontage, of that adjoining parcel of land described in the said survey as No. 124; both parcels being described therein, with the necessary appurtenances thereto, to have and to hold the said piece or parcel of land hereby demised, or intended so to be, and every part thereof, with the appurtenances, unto the said John Slater, his executors, administrators and assigns, from the day next before the day of the date of these presents, and for and during and unto the full term of 1,000 years thence next ensuing, yielding and paying therefore, yearly, and every year during the said term, and upon the Michaelmas-day in each year, the rent or sum of three pepper-corns, the first payment whereof to be made upon the 29th day of December next ensuing the date hereof; and the said John Slater for himself, his heirs, executors, administrators, doth hereby covenant and agree with the said Governor and Company, in manner following; that is to say, that the said John Slater shall or will, within 40 days from the date hereof, settle or establish himself or themselves, and continue to reside upon the said hereby demised land, and shall or will, within five years from the date of these presents, bring or cause or procure to be brought into a state of cultivation, one-sixth part of the said hereby demised land, and henceforth continue the same in such state, and that the said John Slater, his executors, administrators or assigns, shall or will from time to time, and at all times during the said term, contribute in a due proportion to the expense of all public establishments, whether of an ecclesiastical, civil, military, or other nature, including therein the maintenance of the clergy, the building and endowment of schools, which are or shall or may be formed under the authority of the charter or charters hereinbefore referred to. And also that he or they at proper seasons, in every year, and on towards the making and repairing of such roads and highways, as lie within two miles from the said hereby demised premises, shall and will employ himself or themselves, and his or their servants, horses, cattle, carts and carriages, and other necessary things for that purpose where and when required so to do by the surveyor or overseer for the time being, appointed for the making and amending public roads, bridges and highways within such limit as aforesaid; such requisition nevertheless, in point of time, not to exceed six days in each year, computed day by day, and from Michaelmas to Michaelmas; and shall or will use his or their endeavours, for the benefit and support of the clergy; to whom, or whose communion, he or they shall belong, himself or themselves, or his or their servants, horses, cattle, carts, and carriages, and other things necessary for the purpose, not exceeding at and after the rate of three days in the spring, and three days in the autumn of each year, and in every other respect whom, and whereby the clergyman shall appoint; and also that the said John Slater, his executors, administrators and assigns, shall not, nor will, without the license or consent of the said Governor and Company, for that purpose first obtained, carry on or establish, or attempt to carry on or establish in any parts of North America, any trade or traffick in or relating to any kind of skin, furs or peltries, nor dressed leather, nor in any manner directly or indirectly, aid or abet any person



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or persons in carrying on such trade or traffic, nor shall nor will at any time or times during said term, distil or procure, or cause to be distilled spirituous liquors of any nature or kind soever, either upon the land hereby demised, or within any other part of the territories belonging to the said Governor and Company in North America, nor during the said term, knowingly suffer or permit any other person or persons whomsoever, to distil any such liquors upon the said demised lands or any part thereof; and also, that the said John Slater, his executors, administrators and assigns, shall not, nor will at any time export beyond the territories of the said Governor and Company any effects being the produce of the said land, or acquired by the said John Slater, his executors, administrators and assigns, within the territories of the said Governor and Company, and intended so to be exported by him the said John Slater, his executors, administrators and assigns other than and except at Port Nelson (one of the ports belonging to the said Company) and in ships or vessels belonging to or in the service of the said Governor and Company, to be conveyed to the port of London, and there to be lodged and deposited in some one of their warehouses belonging to or used for that purpose by the said Governor and Company, and with power to sell and dispose of the same effects, on account of the said John Slater, his executors, administrators and assigns, and also shall not, nor will import any goods or effects into the territories of the said Governor and Company in North America or any part thereof, other than and except from the said port of London, and through some one of the warehouses of goods in the said port of London, and other than and except in a vessel or vessels, ship or ships belonging to the said Governor and Company, or in their service; and also that he or they shall or will pay and allow to the said Governor and Company in respect of all such produce, goods and commodities, whether exported or imported, all charges as and for and in the nature of gauge, wharfage, warehouse room, and commission for sale, which shall be or constitute the average price or prices in similar cases, together with such charge for freightage as shall at the time or respective times be fair and reasonable, and shall or will allow and pay as in the nature of a custom or duty any sum not exceeding 5*l.* for and upon every 100*l.* or value or amount of the produce, goods, and commodities which shall or may be conveyed to or from Port Nelson from or to the port of London as aforesaid, and so in proportion for a less quantity or value, or in amount than 100*l.*, unless the same kind of produce, goods and commodities shall be subject to a higher rate of duty on importation at Quebec, and then in cases of importation, that he or they shall and will pay and allow unto the said Governor and Company sums at and after the same rate as shall be paid or payable at Quebec, such value or amount to be from time to time fixed, and as contained in all cases of import by and upon the actual and *bona fide* invoice prices, and in all cases of export by the net proceeds of sales at London aforesaid, and the said John Slater for himself, his heirs, executors and administrators, doth hereby further covenant with the said Governor and Company, and their successors, that he the said John Slater, his executors, administrators and assigns, will use his and their best endeavours to maintain the defence and internal peace of the territories of the said Governor and Company in North America, and shall and will be chargeable therewith according to such laws and regulations as are now in force in respect of the same territories, or shall from time to time be made by competent authority; and also that the said John Slater, his executors, administrators or assigns, shall not, nor will at any time or times during the said term, attempt or by any direct or indirect, mediate or immediate manner, ways or means, infringe or violate, or, set about or to infringe or violate, or aid, assist or abet or set about or attempt to aid to assist or abet, or supply with spirituous liquors, trading goods, provisions or other necessities, any person or persons whomsoever, corporate or incorporate, or any prince, power, or potentate or state whatsoever, who shall infringe or violate, or who shall set about or attempt to infringe or violate the exclusive rights, powers, privileges, and immunities of or belonging, or in any wise appertaining to, or held, used, or enjoyed by the said Governor and Company, and their successors, under the charter or charters, without the license or consent of the said Governor and Company and their successors for the time being, first had and obtained; and lastly, that he the said John Slater, his executors, administrators or assigns, shall not nor will at any time during the said term, underlet or assign or otherwise alienate or dispose or part with the actual possession of the said land hereby demised, or any part thereof, for all or any part of the said term, or any interest demised under the same, without the consent in writing of the said Governor and Company for the time being first had and obtained; and also, that the said John Slater, his executors, administrators or assigns, shall or will, within six calendar months from the date hereof as to these presents, and within six calendar months from the date of such respective assignment, and underlease to be made under or through these presents, and with respect to such assignment and underlease respectively, cause these presents and every such assignment or underlease, when made, to be registered in the register of the said territories in North America, or of the district in which the said hereby demised land shall be situate, and wherever such register shall be kept at the time.

Provided always, nevertheless, and it is hereby declared and agreed, that if the said John Slater, his executors, administrators or assigns, shall not in all things well and truly observe and perform all and every the covenants and agreement herein contained, on his or their behalf to be observed and performed, then and in either of such cases, and either upon or after the first breach or any subsequent breach or breaches of the covenant, and as to any subsequent breach or breaches, notwithstanding there may have been any waiver or waivers, or supposed waiver or waivers thereof by the acceptance of rent or otherwise, it shall or may be lawful to and for the said Governor and Company, and their successors or assigns, to enter into and upon the said hereby demised premises, or any part thereof, in the name of the

the whole thereof, and to have, to hold, retain and enjoy the same as in their former state, and also to put an end to and determine the same term of 1,000 years, or so much thereof as shall be then unexpired, and all and every person or persons then occupying the same premises, or claiming title thereto, to put out and remove, anything hereinbefore contained to the contrary notwithstanding. In witness whereof the said parties to these presents have hereunto set their hands and seals the day and year first above written.

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Signed, sealed, and delivered in  
presence of Geo. Taylor,  
of Red River Settlement,  
Surveyor, and

For the Governor and Company aforesaid,  
*Duncan Finlayson,*  
Governor of Assiniboine.  
*John x Slater.*

John Black, of the same place,  
Clerk in the service of the  
said Governor and Company.

Countersigned, *George Taylor,*  
*John Black,* } Witnesses.

## Appendix, No. 16.

Appendix, No. 16.

LETTER from the Committee of the Aborigines Protection Society to the  
Right Honourable *Henry Labouchere*, M.P., Chairman.

Sir,

THE condition and circumstances of the Indian tribes inhabiting the vast territory under the administration of the Hudson's Bay Company have for many years engaged the attention of the Aborigines Protection Society, who have witnessed with deep interest the movement which has resulted in the inquiry now pending before the Select Committee of the House of Commons.

Impressed with the importance of this movement as affecting the future destiny not only of the wide region conceded by charter to the power of the Hudson's Bay Company, but that of the adjoining provinces of Canada, with which its interests are so intimately interwoven, the Society took early steps to procure such facts and information relating to the territory and its inhabitants as were accessible to them, and have on various occasions brought the subject under the notice of Her Majesty's Government.

Apart from all considerations of humanity, they could not be unmindful of the circumstance that while in too many instances, in other portions of our colonial dominions, the aboriginal proprietors of the soil have been viewed as an obstruction to the advancing interests and exigencies of the white settlers who have displaced them, both policy and humanity must concur in the preservation and just treatment of the native races of the Hudson's Bay, who are the support of an important and lucrative commerce, and the real producers of the vast wealth, amounting, on competent authority, to more than 20 millions sterling, with which the fur trade has already enriched England.

The Society trust that they are not too far presuming if they desire to avail themselves of the present opportunity to submit their views on the important subject at present under the consideration of the Committee of the House of Commons. They beg to assure the Committee that in so doing they have been most anxious not unreasonably to intrude on their attention by raising merely theoretical discussions. They have watched the progress of the evidence with great interest, and they have collected with much care, both from public sources and from private and personal communications with individuals, such facts and information bearing on the condition and prospects of the aboriginal race as appeared to them calculated to aid the investigation now in progress, by throwing additional light upon points where the evidence has been defective, or by suggesting considerations which may lead to further inquiry, and to such an enlarged view of our connexions with the Indian tribes as may tend to the adoption of proper measures for their future improvement and preservation.

The subjects which appear to the Society to be deserving of special attention in connexion with the present inquiry, and on which they would respectfully offer a few observations embodying the information they have been able to procure, are the following:—

1. The general character, geographical distribution, and estimated numbers of the tribes of the Hudson's Bay.
2. Their rapid decrease, and threatened extinction.
3. The character and operation of the system of trade and administration of the Hudson's Bay Company, as connected with this decrease.
4. The prevalence of famine, and their effects.
5. The result of missionary operations, in reference to the capacity of the Indian for the habits of civilised life.
6. The prospects of the Indian race under the contemplated annexation of the Hudson's Bay territory to Canada.

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Notwithstanding the diversity of petty independent tribes, of whom between 50 and 60 names are found scattered over the surface of this wide region, there does not appear at the present day to be more than six languages of a radically distinct character in the whole area of British North America.

1. Beginning from the north, the Esquimaux, an exclusively maritime family, occupy the entire circumference of the Arctic coast of the American continent, from Russian America on the west to Labrador on the east.

2. The Kolooch, comprising great variety of tribes, many of whom are also maritime in their habits, occupy a large portion of British Oregon and of Russian America, and extend eastward to M'Kenzie's River.

3. The Athabascan or Chepewyan, a wide-spread family, conterminous on the north with the previously mentioned family, extend from Fort Churchill to Hudson's Bay, across the entire continent, through new Caledonia and the adjacent parts of British Oregon to the shores of the Pacific Ocean.

4. The great Algonquin division, the largest of all the North American groups, subtend the Athabascans on the north, and extend in a southerly direction far into the territory of the United States. They include the well-known tribes the Delawares, Crees, Chippewas, &c., besides many now extinct races.

5. The Iroquois, completely surrounded by and inclosed in the vast area of the Algonquins, formed the famous confederacy of the fur nations, whose original area comprised the greater portion of the present limits of Canada, and extended southwards as far as the States of Pennsylvania and New York.

6. Disregarding minor subdivisions, the remaining portion of the country included between the limits of the Algonquins and the Rocky Mountains may be considered as in the occupancy of the Sioux, at the present day by far the most numerous and warlike native confederacy of North America. The Sioux are dominant over the vast prairie region watered by the Missouri and the upper waters of the Saskatchewan. To quote the language of a recent writer, "The Iroquois and Algonquins exhibit in the most typical form the characteristics of the North American Indians, as found in the earliest descriptions, and they are the two families upon which the current notions respecting the physiognomy, habits, and moral and intellectual powers of the so-called Red Race are chiefly founded. As a general rule, though not without important exceptions, the Algonquin and Iroquois classes lie to the east of the Mississippi, and their original area was the region of the forest rather than the prairie," a remark which applies also to the Kolooch and Athabascans, who are usually classed by the Hudson's Bay traders under the general designation of Thickwood Indians. In the accompanying Map, coloured ethnologically, the limits of the great division just mentioned, together with the localities of the most important tribes of which they consist, are indicated with as much precision as the nature of the subject will allow. For the convenience of comparison, a statement of the numbers and distribution of the Indian tribes as far south as the Gulf of Mexico, based on the Reports of the United States Commissioners on Indian Affairs, has been added; and the whole, it is believed, exhibits a summary of information from the most recent and reliable sources in regard to the Indian tribes of North America, as complete as the present state of our knowledge admits.

The data for estimating the past and present population of the Hudson's Bay territories are by no means satisfactory. The census given in evidence before the present Committee by Sir George Simpson, of 55,570 for the entire territory east of the Rocky Mountains, would seem to indicate, from the vast disproportion between the population and the extent of the territory they occupy, that here, as in other parts of the North American continent, the aboriginal race is rapidly wasting away. The testimony of travellers to this painful fact is uniform and emphatic. "Since 1829," says Mr. Parker, an American writer, speaking of the tribes west of the Rocky Mountains, "probably seven-eighths, if not, as Dr. McLaughlin (the superintendent of the Hudson's Bay Company's affairs in that quarter) believes, nine-tenths of the entire population have been swept away by disease, principally fever and ague. The malignancy of these diseases may have been increased by predisposing causes, such as intemperance and the general spread of venereal, since their intercourse with Europeans; but a more direct cause of the great mortality was their mode of treatment."

Among other causes of this lamentable waste of Indian life, the decrease of the game upon which the Indians subsisted has been much dwelt upon. The subject is one of great importance in reference to the future disposition of these territories; and as it is also intimately connected with the system of trade carried on by the Hudson's Bay Company, it appears to the Society to call for most serious attention.

The destructive influences operating on the Indians, from the prevalence of epidemic diseases and the habits of intemperance, may perhaps be considered as rather of a temporary than a permanent character. How far the Hudson's Bay Company have employed their full influence in preventing the introduction of spirituous liquors, and arresting the spread of European diseases, are questions which will doubtless receive the careful attention of the Committee. The daily operation and tendency of the Company's system in the destruction of the game, which necessarily forms the sole support of a hunting population, is of greater importance as respects the future prospects of the country and the fate of its aboriginal inhabitants. The furs of wild animals forming the sole articles of export from the country, the business of hunting and trapping falls exclusively on the Indians; and to satisfy the demands of the traders, whose profits depend upon the amount of the returns, it

is pursued by them very far beyond what would be required to supply the personal wants of a simple people subsisting by the chase. Differing wholly in its nature from a trade in manufactured articles, demand does not, in this case, increase supply, but the ratio is necessarily reversed. It is asserted, indeed, that the Company's regulations prevent, as far as possible, the wanton destruction of the animals producing the finer furs, by discouraging the trade in the skins of the young and those killed at improper seasons. Such regulations do not extend, however, to the larger animals—the buffalo, the moose, and the deer—whose flesh is adapted for the food of man, immense herds of which are wantonly destroyed for the sake of their tongues alone, to supply a delicacy for the table.

It must be obvious that as the demands of such a system increase, the difficulty of meeting them becoming proportionately great, the more the furs are required, the greater must be the difficulty in finding and killing the animals; more fatiguing and longer-continued hunting expeditions are required; and, as the population itself decreases and the hunters become fewer, the labour of procuring the furs becomes more onerous on the survivors. The result is inevitable: the children and old persons perish or suffer, and settlement and progressive improvement become impossible. Even those acts which exercised native ingenuity and skill, and sufficed originally for subsistence suited to their primitive condition and simple wants, are abandoned or forgotten, as the manufactured articles sold by the Company are often more effectual as well as more easily obtained. To complete their entire dependence upon the Company, they are, by the custom of giving all the articles supplied to them on credit, invariably kept in debt—another powerful means of repressing the energies and advancement of any people, whether barbarous or civilised.

The practical operation of such a system cannot perhaps be better described than in the words of Mr. McLean, himself a partner of the Hudson's Bay Company, who in his recently published work "Notes of a Twenty-five years' residence in Hudson's Bay," has the following remarks on the subject:

"That the Indians wantonly destroy the game in years of deep snow, is true enough, but the snow fell to as great depth before the advent of the whites as after, and the Indians were as prone to slaughter the animals then as now, yet game of every description abounded, and want was unknown. To what causes then are we to attribute the present scarcity? There can be but one answer, to the destruction of the animals which the prosecution of the fur trade involves. As the country becomes impoverished, the Company reduce their outfits so as to insure the same amount of profits, an object utterly beyond their reach, although economy is pushed to the extreme of parsimony; and thus while the game becomes scarcer, and the poor natives require more ammunition to procure their living, their means of obtaining it instead of being increased are lessened. The general outfits for the whole northern department, amounted in 1835 to 31,000 £, now (1845) it is reduced to 15,000 £, of which one-third at least is absorbed by the stores at Red River settlement, and a considerable portion of the remainder by the officers and servants of the Company throughout the country. I do not believe that more than one half of the outfit goes to the Indians. While the resources of the country are becoming yearly more and more exhausted, the question naturally suggests itself: What is to become of the natives when their lands can no longer furnish the means of subsistence? This is indeed a serious question, and well worthy of the earnest attention of the philanthropist. While Britain makes such strenuous exertions in favour of the sable bondsmen of Africa, and lavishes her millions to free them from the yoke, can nothing be done for the once noble, but now degraded aborigines of America? Are they to be left to the tender mercies of the trader, until famine and disease sweep them from the earth?"—*McLean*, vol. 2, pp. 266-269.

A former correspondent of the society, Mr. Alexander Simpson, also a partner of the Company, and at present in this country, gives evidence of a similar character:

"There are some extensive tracts of country in which the means of subsistence," he says, "are scanty in the extreme. In the region lying between Lake Superior and Winnipeg, the natives during the winter, can with difficulty collect enough of food to support life. In the country lying immediately north of the Canadas, though fur-bearing animals are still comparatively numerous, and the trade consequently valuable, the poor Indians have at all times a hard fight against famine. In this tract of country, fish is at all seasons scarce, and in winter the sole dependence of the natives for subsistence is placed upon rabbits (the most wretched food upon which to exist for any time that can possibly be conceived), and when these fail, the most frightful tragedies at times take place, parents have been known to lengthen out a miserable existence by killing and devouring their own offspring."

The prevalence of famines such as are here described, and which there is but too much reason to fear are gradually extending over every part of the country, with the exception of the prairie districts; and the deplorable consequences they entail upon the suffering and helpless natives, are events which must perhaps, cause regret rather than censure. To prevent altogether the occurrence of such calamities may indeed be beyond the power of the Company, and it may be admitted that their treatment of the Indians is as considerate and humane as is consistent with the interests of a body having the primary question of a profitable trade as the object of their association. But the fact is no less certain and deplorable, that while under the system now in force, we have given unlimited scope to the cupidity of a company of traders, placing no stint on their profits, or limits to their power, the unhappy race we have consigned to their keeping, and from whose toil their profits are wrung, are perishing miserably by famine, while not a vestige of an attempt has been made on the part of their rulers to imbue them with the commonest arts of civilized life, or to

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induce them to change the precarious livelihood obtained by the chase for a certain subsistence derived from the cultivation of the soil. While we are hesitating to introduce the changes, which these and similar considerations seem imperatively to call for, from a fear that under a free Government the fur trade will suffer from the apprehended extermination of the fur-bearing animals, the question is irresistibly forced upon us: Are we not already effecting the same object far more speedily and certainly, by the extermination of the Indian?

The capacity of the red men for the habits of civilised life is abundantly demonstrated in the success which has attended the efforts of the missionary societies at the Red River settlement, and other parts of the territory. We find there a considerable community of pure Indian blood, subsisting by agriculture, and in point of intelligence not inferior to the whites of the same rank of life by whom they are surrounded. Famine, with its attendant horrors, is there unknown; population is on the increase; intemperance and the vices usually incident to a savage state are declining, if they have not wholly disappeared; and the inference from the whole is irresistible that the extension of settlement, and a free government in these territories is far more favourable to the moral and intellectual advancement of the aboriginal race, than the irresponsible and destructive regime of the fur trade.

It may be said indeed, that although the Company have no missions or schools of their own in any portion of their territories, they have offered no obstacle to their establishment by benevolent societies from England and Canada; but it is submitted that this can scarcely be considered an adequate fulfilment of the duties and responsibilities imposed by their position. The monopoly of the fur trade, if not a compact for the benefit of the Indian, is an injustice; as it deprives him of the fair value of his toil, debars him from intercourse with civilised man, and the ameliorating influences without which he can never rise in the scale of humanity. For the last two centuries has the right of exclusion been rigidly enforced from the shores of the Hudson's Bay, and never perhaps in the whole world and in all time, has a fairer opportunity been offered for the regeneration of the Indian race. No surrounding communities have acted upon them with evil and pernicious influences, no opposing interests have interfered with the most comprehensive and benevolent plans for their amelioration; they have been cut off from the intercourse, the contentions, and the contagion of the world. And yet what has been the result? The system which has made the Company prosperous and powerful, has made the Indian a slave, and his country a desert. He is at this day wandering about his native land, without home or covering as much a stranger to the blessings of civilisation as when the white man first landed on his shores. It is far from the intention of the Society to cast indiscriminate censure upon the servants of the Hudson's Bay Company, many of whom are without doubt, benevolent and humane, as well as enterprising and intelligent. But it must be obvious that their character and habits, as well as the policy of the Company, are alike unfavourable to that progressive settlement and civilisation of the country which has been going on in so remarkable a manner to the south of the British and American boundary, and the question really comes to be whether these territories are to remain a wilderness till the tide of population bursts in upon them, over a conventional line from a country where the possessory rights either of Indians or civilised states are little regarded, or be opened up under the auspices of the Canadian Government, whose interest in the welfare and improvement of the native race living under its jurisdiction, the society is thankful to acknowledge. The recent enactment of the provincial Legislature, conferring on them the right of suffrage is one of the most hopeful character, as it admits them to full participation in the privileges and duties of British subjects. In pleading for the extension of the Government of Canada over the Indian tribes of Hudson's Bay, the Society indulge the hope that similar rights will be accorded to them, and that the necessary measures will be taken for promoting their moral and religious improvement by settling them on lands of their own, instructing them in the arts of civilised life, and by the establishment of missions and schools, bringing within the reach of every member of the community the means of Christian training and instruction.

Signed on behalf of the Committee.

18 May 1857.

R. N. Fowler, Chairman.

F. W. Chesson, Secretary.

LETTER from F. W. Chesson, Esq., Secretary to the Aborigines Protection Society, to the Right Hon. H. Labouchere, M.P., Chairman.

19, Harpur-street, Bloomsbury, W. C.

7 June 1857.

Sir,

On behalf of the Aborigines Protection Society I beg to forward you a letter which has been addressed to them by Peguis, chief of the Salteaux tribe, at the Red River settlement, detailing some of the grievances of which he alleges he has to complain under the present government of the country. The letter, I am informed, is in the handwriting of his son, and may be regarded as a creditable proof of Indian capacity. The settlement over which the chief Peguis presides is a remarkable example of the improvement of which the Indian race is capable. The great majority of the tribe are settled down as farmers, but singularly enough they furnish the only harness maker and tinsmiths which the Red River settlement possesses. No better proof of their high moral condition could be

be wished for than the fact that, despite many cases of poverty and want which exist among them, "there is not a locked or barred door at night even during the hours of sleep, from one end of the settlement to the other."

I beg respectfully to express the hope that you will deem the facts contained in Peguis's letter to be of sufficient importance to bring them before the Select Committee on the Hudson's Bay Territories, and thereby render an act of justice to one of Her Majesty's oldest and most devoted servants.

I have, &c.  
(signed) F. W. Chesson,  
Secretary.

LETTER from Peguis, Chief of the Saulteaux Tribe at the Red River Settlement, to the Aborigines Protection Society, London.

Gentlemen,

MANY winters ago, in 1812, the lands along the Red River, in the Assiniboin country, on which I and the tribe of Indian of whom I am chief, then lived, were taken possession of without permission of myself or my tribe by a body of white settlers. For the sake of peace I, as the representative of my tribe, allowed them to remain on our lands on their promising that we should be well paid for them by a great chief, who was to follow them. This great chief, whom we call the Silver Chief (the Earl of Selkirk), arrived in the spring after the war between the North-west and Hudson's Bay Companies (1817). He told us he wanted our land for some of his countrymen, who were very poor in their own country, and I consented, on the condition, that he paid well for my tribes' lands, he could have from the confluence of the Assiniboin to near Maple-sugar Point, on the Red River (a distance of 20 or 24 miles), following the course of the river, and as far back on each side of the river as a horse could be seen under (easily distinguished). The Silver Chief told us he had little with which to pay us for our lands when he made this arrangement, in consequence of the troubles with the North-west Company. He, however, asked us what we most required for the present, and we told him we would be content till the following year, when he promised again to return, to take only ammunition and tobacco. The Silver Chief never returned, and either his son or the Hudson's Bay Company have ever since paid us annually for our lands only the small quantity of ammunition and tobacco which, in the first instance, we took as preliminary to a final bargain about our lands. This surely was repaying me very poorly for having saved the Silver Chief's life, for the year he came here Guthbert Grant, with 116 warriors, had assembled at White-horse Plain, intending to waylay him somewhere on the Red River. I no sooner heard of this than I went to Guthbert Grant, and told him, if he came out of the White-horse Plain where his warriors were assembled, I should meet him at Sturgeon Creek with my entire tribe, who were then much more numerous than they are now, and stand or fall between him and the Silver Chief. This had the desired effect, and Mr. Grant did not make the attempt to harm the Silver Chief, who came as he went, in peace and safety. Those who have since held our lands not only pay us only the same small quantity of ammunition and tobacco, which was first paid to us as a preliminary to a final bargain, but they now claim all the lands between the Assiniboin and Lake Winnipeg, a quantity of land nearly double of what was first asked from us. We hope our Great Mother will not allow us to be treated so unjustly as to allow our lands to be taken from us in this way.

We are not only willing, but very anxious after being paid for our lands, that the whites would come and settle among us, for we have already derived great benefits from their having done so, that is, not the traders, but the farmers. The traders have never done anything but rob and keep us poor, but the farmers have taught us how to farm and raise cattle. To the missionaries especially we are indebted, for they tell us every praying day (Sabbath) to be sober, honest, industrious, and truthful. They have told us the good news that Jesus Christ so loved the world that he gave himself for it, and that this was one of the first messages to us, "Peace on earth and good will to man." We wish to practise these good rules of the whites, and hope the Great Mother will do the same to us, and not only protect us from oppression and injustice, but grant us all the privileges of the whites.

We have many things to complain of against the Hudson's Bay Company. They pay us little for our furs, and when we are old are left to shift for ourselves. We could name many old men who have starved to death in sight of many of the Company's principal forts.

When the Horse Government has sent out questions to be answered in this country about the treatment of the Indians by the Company, the Indians have been told if they said anything against the Company they would be driven away from their homes. In the same way when Indians have wished to attach themselves to missions, they have been both threatened and used badly. When a new mission has been established, the Company has at once planted a post there, so as to prevent Indians from attaching themselves to it. They have been told they are fools to listen to missionaries, and can only starve and become lazy under them. We could name many Indians who have been prevented by the Company from leaving their trading posts and Indian habits when they have wished to attach themselves to missions.

When it is decided that this country is to be more extensively settled by the whites, and before whites will be again permitted to take possession of our lands, we wish that a fair and

Appendix, No. 16.

and mutually advantageous treaty be entered into with my tribe for their lands, and we ask, whenever this treaty is to be entered into, a wise, discreet, and honourable man, who is known to have the interests of the Indian at heart, may be selected on the side of the Indian, to see that he is fairly and justly dealt with for his land, and that from the first it be borne in mind, that in securing our own advantages, we wish also to secure those of our children and their children's children.

I commit these my requests to you as a body now well known by us to have the welfare of the poor Indian at heart, and in committing this to you in behalf of myself, do so also on behalf of my tribe, who are as one man in feeling and desires on these matters. Will you, then, use the proper means of bringing these our complaints and desires in a becoming and respectful manner both before the Great Council of the nation (Parliament), and through it to our Great Mother (the Queen), who will show herself more truly great and good by protecting the helpless from injustice and oppression than by making great conquests.

I give you at the end of this such certificates of character as I hold from the Silver Chief (Lord Selkirk) and the Governor of Rupert's Land (Sir George Simpson); I have also a British flag and valuable medal from our Great Mother (the Queen), which I treasure above all earthly things.

Wishing that the Great Spirit may give you every good thing, and with warmest thanks for your friendship,

I remain, gentlemen, your true friend,

his

*Peguis, + or Wm. Prince,*

mark.

Chief of the Saulteaux Tribe at Red River.

The bearer Peguis, one of the principal chiefs of the Chepeways or Saulteaux of Red River, has been a steady friend of the settlement ever since its first establishment, and has never deserted its cause in its greatest reverses. He has often exerted his influence to restore peace, and having rendered most essential services to the settlers in their distress, deserves to be treated with favour and distinction by the officers of the Company, and by all the friends of peace and good order.

(signed) *Selkirk.*

Fort Douglas, 20 July 1817.

These are to certify that Peguis, the Saulteaux Indian chief, has uniformly been friendly to the whites, well-disposed towards the settlement at Red River, and altogether a steady, intelligent well-conducted Indian. In consideration of these facts, and being now in the decline of life, unable to maintain himself and family by the produce of the chase alone, it is hereby certified that I have assured him an annuity for life from the Honourable Hudson's Bay Company of 5*l.* sterling, commencing with a payment of that amount this day.

(signed) *George Simpson.*

Fort Garry, 1 January 1835.

Appendix, No. 17.

## Appendix, No. 17.

LIST of the Adventurers of England trading into *Hudson's Bay*, November 1856.

*Whereof those marked \* have by their Adventures two Votes or more.*

Arbuthnot, George, and others.  
\* Auldjo, Madeline Helen Margaret.

Baggallay, Richard, and others.  
Baker, Charlotte.  
Baker, George.  
Baker, Matilda Caroline.  
\* Baker, William Robert.  
\* Balfour, John.  
Barclay, Jas. Pringle and George Forsyth.  
\* Barclay, Joseph Gurney.  
Barklmore, Archibald.  
Barnett, Edward.  
Barnett, Edward.  
Burnett, Edward, and others.  
\* Barnett, John and Sarah Beale.  
\* Barnett Thomas.

Bartrum, Thomas Reynolds, deceased, T. J.  
Laing, and S. L. Lancaster Lucas.  
Bartrum, Thomas Reynolds, deceased, T. J.  
Laing, and S. Fremehere.  
Bayly, William Davis, deceased.  
\* Beauvoir, Richard Benyon De, deceased.  
\* Beioley, Joseph.  
Bennett, Rev. Alexander Mordan.  
Bennett, Elizabeth Caroline Amelia.  
Bennett, Saint John.  
\* Bentley, James.  
Berens, Charlotte Elizabeth.  
\* Berens, Henry Hulso.  
\* Berens, Joseph, deceased.  
Bevan, Mary Catharine.  
Bicknell, Henry.  
Binks, Richard.

\* Black,

Block, Samuel Richard, and William.  
 Bousfield, Martha.  
 Bousfield, William, deceased.  
 Broughton, Rev. Thomas Delves, and  
 Frances.  
 Broughton, Rev. Thomas Delves, and  
 Charles Corkran.  
 Buchanan, Walter.  
 Burmester, Edward.  
 Burnell, Henry.  
 \*Buxton, Sir Edward North, Bart.  
 Buxton, Thomas Fowell.

Campbell, James and Caroline.  
 Carew, Elizabeth, deceased.  
 Cary, George Marcus.  
 \*Cavan, the Right Hon. Lydia, Countess  
 Dowager of, and the Hon. E. A. F. H.  
 Lambart, deceased.  
 Chambers, Rev. Oswald Lyttelton.  
 \*Chapman, Aaron, deceased.  
 Charles, John.  
 Chatteris, William Pollet Brown.  
 Clarke, Henry Matthew.  
 Clarke, John Stanley, and others.  
 Clayton, Frances, deceased, and the Rev.  
 Edward.  
 Cleasby, Isabella.  
 \*Colville, Eden.  
 \*Corkran, Charles.  
 \*Cotton, John.  
 Cripps, Elizabeth, and Charlotte.  
 \*Currie, Isaac George.  
 Currie, Raikes.  
 Currie, Raikes, and George Wodehouse.  
 Currie, William.  
 \*Dallas, Alexander Grant.  
 Davies, Robert Cradock.  
 Devey, Francis, and others.  
 Dimond, John Baker, deceased.  
 Drake, Robert.  
 Duck, Catharine Tolson.  
 Duck, Elizabeth Amelia.  
 Duck, John Nehemiah.  
 Dundas, the Hon. John Charles, and others.

Eden, the Hon. Emily.  
 Eden, the Hon. Frances Harriet, deceased.  
 \*Ellice, the Right Hon. Edward.  
 \*Ellice, the Right Hon. Edward, and others.  
 \*Ellice, Edward.  
 \*Ellice, Rev. James, deceased.  
 \*Ellice, Robert, deceased.  
 Ellice, Russell.  
 \*Ellice, Russell, and others.  
 Ellice, William, and Helen Anne Burrell.

Fane, Vere, and others.  
 \*Farnham, Harriet, and others.  
 Feilden, Joseph.  
 Fenning, George, and R. H. Shepard.  
 Fetherston, Anne.  
 Fetherston, Jane.  
 Firmin, Rev. Robert.  
 Fly, Henrietta Susanna.  
 \*Folkestone, the Right Hon. Viscount, and  
 others.  
 \*Forsyth, Margaret, and George.  
 Fort, George.  
 Fox, Francis.  
 Frampton, Eleanor Mary.  
 Frampton, Mary Hamwood, and Ann.  
 Franklin, Elizabeth, deceased.

Franklin, Sir John, deceased, and Rev. Appendix, No. 17.  
 Thomas Willingham Booth.

\*Franks, Frederick, deceased.  
 Franks, Charles, and James Whatman Bo-  
 sanquet.  
 \*Friend, James Taddy.

Gandell, Thomas.  
 Gibbs, Richard, deceased.  
 Gore, Lieut.-general the Hon. Charles.  
 Graham, Thomas.  
 Grant, Charles.  
 Grant, William Forsyth.  
 \*Green, Richard.  
 Gunner, Hannah.  
 \*Gurney, Samuel, deceased.

Haldane, John.  
 Halkett, Rev. Dunbar Stewart.  
 \*Halkett, Peter Alexander.  
 \*Hambrugh, John.  
 Hamilton, Rev. Adolphus, and others.  
 Hancock, Rev. Robert, and Charles Stokes.  
 Hare, Anna Maria.  
 \*Harrison, Benjamin, deceased.  
 \*Harrison, Benjamin, deceased, and Rev.  
 Benjamin.  
 \*Harrison, Benjamin, deceased, and Catha-  
 rine Sarah.  
 \*Harrison, Rev. Benjamin.  
 \*Harrison, Rev. Benjamin, and John Curtis  
 Hayward.  
 \*Hayward, John Curtis.  
 Hewat, Michael Grayhurst.  
 \*Hewat, Richard James, and Alexander.  
 Hewat, Richard James, and Margaret.  
 Heywood, Sarah.  
 \*Hodgson, Jane.  
 Hodgson, John, and others.  
 \*Hodgson, Kirkman Daniel.  
 Hodgson, Mary.  
 Holland, John, and others.  
 \*Hope, Hon. Charles.  
 Hoyes, James, deceased, and Elizabeth,  
 deceased.  
 Hue, Clement.  
 Hue, Rev. Clement Berkeley.  
 Hue, Corbet.  
 \*Hulse, Sir Charles, Bart., deceased.  
 Hurlock, Philip Johnson, deceased.  
 Hutchesson, James.  
 Hyslop, Walter.

Ireland, Thomas James.

Jenkins, Right Rev. John Banks, Bishop  
 of St. David's, deceased.  
 Johnson, Henry.  
 Jones, Rev. Dennis Edward.

Laing, Thomas Josiah.  
 Leigh, James Brooks.  
 \*Lucas, Josiah, deceased.  
 Lucas, Josiah, deceased, and T. J. Laing.  
 \*Lucas, Samuel Lucas Lancaster, and others.

\*Madan, Frederick.  
 Marindin, Henry Richard.  
 Marjoribanks, Edward, and Sir Edmund  
 Antrobus, Bart.  
 Marsh, Emma.  
 Marshall, Sir Charles.  
 \*Matheson, Alexander.  
 Matheson, Thomas.  
 Mayhew, Charles, and others.

\*Meehi,



- Appendix, No. 17.
- \* Mechi, John Joseph, and George Chambers.
  - \* Miller, Elizabeth, deceased.
  - \* Mills, John Remington.
  - Mills, John Remington, and others.
  - \* Mills, Thomas.
  - Milner, Agnes.
  - Milner, Mary Eleanor.
  - Milner, John, deceased.
  - Mitchell, Sarah Anna, and William Robert.
  - Mitchell, William Robert.
  - Moore, Charlotte, the younger.
  - Moser, Roger.
  - Newbery, George, deceased.
  - Nicoll, Samuel.
  - Ogilvy, Jane.
  - \* Oliver, Joseph, deceased, George, and Joseph.
  - \* Oliver, Joseph.
  - \* Otway, Loftus Charles, and William Angerstein.
  - Owen, Rev. Edward Pryce.
  - Paterson, Margaret.
  - Pearse, Rev. George, and Laura Elizabeth Buck.
  - Pearson, Arthur Thomas Farrer.
  - \* Pelly, Albert.
  - \* Pelly, Albert, and Edmund.
  - \* Pelly, Richard Wilson.
  - Pilleau, Henrietta, deceased.
  - \* Pitt, Elizabeth.
  - Pitt, Rev. George.
  - Porter, Rev. Charles.
  - Powell, William and Lucilla Young.
  - \* Poynder, Thomas Henry Allen.
  - Poynder, Thomas Henry Allen, and others.
  - \* Poynder, William Henry.
  - Prater, Charles.
  - Probyn, George, deceased.
  - \* Raikes, George, deceased.
  - Raikes, William Henley, deceased.
  - Ramsay, Elizabeth.
  - Ramsay, Henrietta Margaret.
  - Ramsay, Lydia Ann, deceased.
  - Ravenshaw, Edward Cockburn.
  - Rennie, Caroline Lucas.
  - Rennie, George, deceased.
  - Rennie, Sir John, and others.
  - \* Rigge, John Sanderson, and others.
  - Rogers, John Charles, and others.
  - \* Round, Charles Gray.
  - \* Russell, William, Accountant-general Court of Chancery.
  - Sampson, Harriet.
  - \* Schacht, George Henry.
  - Serivener, Mary, and Mary Ann Cross.
  - \* Selkirk, the Right Hon. Dunbar James, Earl of.
  - Seymour, Francis Hugh George, and others.
  - \* Shepherd, John.
  - Sinclair, Sir George, bart., and others.
  - \* Singer, Samuel Weller.
  - Skinner, George Thomas.
  - Skinner, John.
  - Skinner, Lucina Sarah.
  - Slade, William.
  - \* Smith, William, deceased.
  - Stanbrough, Charles Henry.
  - Stephens, Charles.
  - Stephenson, Daniel, deceased.
  - Stewart, Alexander Patrick.
  - \* Stokes, Katharine Emma.
  - \* Streatfield, Hannah.
  - Strickland, Henry Eustatius.
  - Strong, Rev. Clement, deceased.
  - Strong, Henry Linwood, and others.
  - \* Stuart, Charles.
  - \* Temple, Frederic James Henry, and Thomas Ramshay Smyth.
  - \* Thellusson, Charles Sabine Augustus, and others.
  - \* Thornthwaite, Thomas.
  - \* Thwaytes, Ann.
  - \* Tomlin, James, deceased.
  - Trotter, Sir Coutts, deceased, and Edward Marjoribanks.
  - Vachell, Horatio, and Tanfield.
  - Vesey, Elizabeth Margaret.
  - Vesey, George.
  - Vigne, Augustus.
  - \* Vigne, Thomas, deceased.
  - Wales, Mary.
  - \* Walker, Isaac, deceased.
  - Warner, Edward.
  - Webb, Rev. Robert Holden.
  - Webb, Thomas.
  - Weekes, Nathaniel.
  - \* Welbank, Robert.
  - Wells, William Frederick, deceased.
  - Wells, Emma Anne, and Louisa.
  - Wheeler, Charles West.
  - \* Wheeler, George, deceased, and Henry, deceased.
  - Wheeler, George, deceased, and others.
  - Wheeler, Thomas Lowe, deceased.
  - Wheeler, Thomas Rivington.
  - Wheeler, Thomas, deceased, and James Lowe.
  - White, Charles.
  - White, John, deceased.
  - \* Wigram, Loftus Tottenham.
  - \* Wilby, Thomas.
  - Wilby, Warner.
  - Wilson, John, and William Fetherston.
  - Wix, Jane, and others.
  - Wix, William.
  - Woodhouse, Francis Lewis Philip Secretan.
  - Woods, William Leyland.
  - Wormauld, John, and others.
  - Worth, Henry John, deceased.
  - Wright, Edward.
  - Wynford, the Right Hon. William Samuel, Baron, and others.

## Appendix, No. 18.

LETTER from R. G. Smith, Esq., Secretary to the Hudson's Bay Company, to  
H. Meriwale, Esq.; with Enclosures.

Sir,  
In consequence of a communication made to them by Mr. Edward Ellice, the Governor and Committee of the Hudson's Bay Company have directed me to forward the enclosed statements for the information of Mr. Secretary Labouchere.

I have, &c.  
(signed) R. G. Smith, Secretary.

## CAPITAL employed by the Hudson's Bay Company.

1 June 1856:	£.	s.	d.
Amount of Assets - - - - -	1,468,301	16	3
Amount of Liabilities - - - - -	203,233	16	11
<b>CAPITAL - - - - -</b>	<b>£.</b>	<b>1,265,067</b>	<b>19 4</b>
Consisting of—			
Stock, standing in the names of the proprietors - - - - -	500,000	-	-
Valuation of the Company's lands and buildings, exclusive of Vancouver's Island and Oregon - - - - -	318,884	12	8
Amount expended up to 16th September 1856, in sending miners and labourers to Vancouver's Island, in the coal mines, and other objects of colonisation, exclusive of the trading establishments of the Company, and which amount will be repayable by Government if possession of the island is resumed - - - - -	87,071	8	3
Amount invested in Fort Victoria and other establishments and posts in Vancouver's Island. This amount is not exactly ascertained, as the last accounts have not been received from Fort Victoria, but is estimated at - - - - -	75,000	-	-
Amount paid to the Earl of Selkirk for Red River settlement - - - - -	84,111	18	5
Property and investments in the territory of Oregon, ceded to the United States by the treaty of 1846, and which are secured to the Company as possessory rights under that treaty, 1,000,000 dollars, say - - - - -	200,000	-	-
	<b>£.</b>	<b>1,265,067</b>	<b>19 4</b>

## DISTRIBUTION of PROFITS to the Shareholders of the Hudson's Bay Company, for the Years 1847 to 1856, both inclusive.

		MARKET PRICES OF STOCK, EX DIVIDEND.			
		January.		July.	
		£.	s. d.	£.	s. d.
1847	10 per cent. dividend - - - - -			200	- -
1848	10 " ditto - - - - -	200	- -	200	- -
1849	10 " ditto - - - - -	200	- -	200	- -
1850	20 " ditto of which 10 per cent. was added to stock - - - - -	200	- -	210	- -
1851	10 " ditto - - - - -	205	- -	210	- -
1852	15 " ditto of which 5 per cent. was added to stock - - - - -	205	- -	215	- -
1853	18, 4, 6. p' cent. ditto of which 8, 4 s. 6 d. per cent. was added to stock - - - - -	220	- -	225	- -
1854	10 per cent. dividend - - - - -	220	- -	210	- -
1855	10 " ditto - - - - -	202	10 -	207	10 -
1856	10 " ditto - - - - -	195	- -	200	- -

Of 268 proprietors in July 1856, 196 have purchased their stock at from 220 to 240 per cent.

Hudson's Bay House, London,  
5 June 1857,

## VANCOUVER'S ISLAND.

COPIES or EXTRACTS of DESPATCHES received by Her Majesty's Secretary of State for the Colonies, on the subject of the Establishment of a REPRESENTATIVE ASSEMBLY at Vancouver's Island.

## SCHEDULE.

## DESPATCHES FROM THE RIGHT HON. H. LABOUCHERE, M.P.

Number in Series.	Date.	SUBJECT.	Page.
1	28 Feb. 1856 No. 5.	Directing that a Representative Assembly be convoked without loss of time. Instructions and Suggestions for his guidance	451
2	23 Aug. 1856 No. 16.	Acknowledging his Despatches of 22d May and 7th June. Instructions in regard to his proposals for an Extension of the Suffrage	452
3	21 Oct. 1856 No. 18.	Acknowledging his Despatch of the 22d July, enclosing Minutes of Council, and Copy of Proclamation convening Assemblies of Freeholders in the Island	452
4	10 Nov. 1856 No. 19.	Acknowledging his Speech on Opening the Session of the Legislature. Difficulties experienced in forming a Committee to inquire into the validity of Disputed Elections,	452
5	24 Jan. 1857 No. 4.	Acknowledging his Despatch of 31st October, reporting the Proceedings of the House of Assembly	453
6	24 Mar. 1857 No. 6.	Acknowledging his Despatch of the 9th January, reporting the Proceedings of the House of Assembly to the 18th December 1856	453

## DESPATCHES FROM GOVERNOR DOUGLAS.

7	22 May 1856 No. 12. (Extract.)	Acknowledging Despatch of 28th February, conveying Instructions in reference to the formation of a Representative Assembly in Vancouver's Island	453
8	7 June 1856 No. 14. (Extract.)	Reporting the Steps taken in carrying out the Instructions conveyed in Despatch of 28th February	454
9	22 July 1856 No. 15. (Extract.)	Enclosing Minutes of Council of 4th and 9th June. Reporting the termination of the Elections, and that the Assembly is convened for the 12th August	454
10	20 Aug. 1856 No. 19. (Extract.)	Reporting the Opening of the House of Assembly on 12th August. Enclosing his Address on the Occasion. Election of a Speaker, and Petitions against the Return of certain Members	456
11	31 Oct. 1856 No. 30.	Reporting further Proceedings of the Assembly, and the Adjustment, without his interference, of Party differences	458
12	9 Jan. 1857 No. 2.	Further Proceedings of the Assembly reported up to 18th December 1856	459
13	24 Feb. 1857 No. 5.	Acknowledging Mr. Labouchere's Despatches of 21st October and 10th November, and reporting further Proceedings of the Legislature, up to 24th February 1857	464

DESPATCHES FROM THE RIGHT HON. H. LABOUCHERE, M.P.,  
SECRETARY OF STATE.

— No. 1. —

(No. 5.)

COPY OF DESPATCH from the Right Honourable *H. Labouchere*, M. P., to  
Governor *Douglas*.

No. 1.

Right Hon. H. Labouchere, M. P., to  
Governor Douglas,  
28 Feb. 1856.

Sir,

Downing-street, 28 February 1856.

By the Commission and Instructions which your predecessor, Governor Blanchard, received when the colony of Vancouver's Island was first founded, he was directed to summon General Assemblies of freeholders, qualified by the ownership of 20 acres of land, and with their advice and that of his Council, to make laws and ordinances for the good government of the island.

2. I am aware that the same Commission contains another clause, professing to empower the Governor to make such laws with the advice of his Council only. Perhaps this was introduced with the view of creating a legislature to meet the immediate wants of the community before Assemblies could be summoned. But I am convinced, as well by the general tenor of the documents themselves as by the information which I have been able to obtain of the intention of Her Majesty's Government in framing them, that it was then contemplated that such Assemblies should be summoned as soon as it should be practicable to do so.

3. Causes over which the local Government had no control, and which are too well known to need recapitulation, have hitherto prevented the settlement from acquiring that development which its founders may have expected. Considering the small number of established colonists, you thought it advisable to act on the power apparently given to yourself to conduct the affairs of the island with the advice of your Council only, and to pass certain laws which you considered most required by the exigencies of the time. In doing so, you proceeded on a fair understanding of the authority conveyed to you, and Her Majesty's Government are fully satisfied with the course which you took.

4. Nevertheless, it has been doubted by authorities conversant in the principles of colonial law, whether the Crown can legally convey authority to make laws in a settlement founded by Englishmen, even for a temporary and special purpose, to any legislature not elected wholly, or in part, by the settlers themselves. If this be the case, the clause in your Commission on which you relied would appear to be unwarranted and invalid.

5. It appears to Her Majesty's Government, therefore, that steps should be taken at once for the establishment of the only legislature authorised by the present constitution of the island. I have, accordingly, to instruct you to call together an Assembly in the terms of your commission and instructions.

6. For this purpose it will be within your power, as provided by the ninth clause of your Instructions, to fix the number of representatives, and, if you should consider it essential, to divide the colony into districts, and to establish separate polling places, although with so small a number of settlers you may find this inexpedient.

7. I leave it to your local knowledge and discretion, with the advice of your Council, to suggest to the Assembly, when thus summoned, to pass such measures as you may yourself deem most required, and in particular, such as may be necessary, in order to leave no doubt of the validity of proceedings already taken without the authority of an Assembly.

8. But it appears to me, that in a community containing so very limited a number of inhabitants, the maintenance of a constitution on the model of those considerable colonies, with a House of Representatives and a Council, may be inexpedient: and that a smaller and more select body will, for the present, and probably for some years to come, perform in a satisfactory manner the functions really required in the present stage of progress of the island.

9. Such a body, however, can be constituted only by enactment of the Legislature, authorised by the Commission, that is to say, of the Assembly and Council, together with yourself. It would be no unusual circumstance for a legislature thus constituted to surrender its powers into the hands of a single chamber. It has been successfully done in some of the smaller West India Islands.

10. I leave it to yourself to consider, with the advice of the local authorities, the numbers and proper qualification of the members of such a single Council; but in the event of your determining to introduce the elective principle into it, a certain proportion, not less than one-third, should be nominated by the Crown. The power of assenting to, or negativing, or suspending, for the assent of the Crown, the measures passed by such a Council, should be distinctly reserved to yourself; and it is very essential that a constitutional law of this description should contain a proviso, reserving the initiation of all money votes to the local Government.

Appendix, No. 19.

11. An additional reason in favour of the course which I now prescribe (namely, that of calling together the Assembly, and then, if the Legislature so created think proper, establishing a simpler form of government) is to be found in the circumstance that the relations of the Hudson's Bay Company with the Crown must necessarily undergo revision before or in the year 1859. The position and future government of Vancouver's Island will then unavoidably pass under review, and if any difficulty should be experienced in carrying into execution any present instructions, a convenient opportunity will be afforded for reconsidering them.

12. I am aware that Her Majesty's Government are imposing on you a task of some difficulty as well as responsibility in giving you these instructions, especially as they have to be carried into execution with so small an amount of assistance as the present circumstances of your settlement afford. But I have every reason to rely on your abilities and public spirit; and you may, on your part, rely on the continuance of such assistance and support as Her Majesty's Government can render you, and on their making full allowance for the peculiarities of your position.

I have, &c.  
(signed) *H. Labouchere.*

— No. 2. —

(No. 16.)

No. 2.  
Right Hon. H. Labouchere, M. P., to  
Governor Douglas,  
23 Aug. 1856.

COPY of DESPATCH from the Right Honourable *H. Labouchere*, M. P., to  
Governor *Douglas*.

Sir,

Downing-street, 23 August 1856.

I HAVE to acknowledge the receipt of your despatches, Nos. 12 and 14,\* of the 22d of May and the 7th of June last.

\* Pages 453, 454.

I am very sensible of the responsibility imposed upon you by my despatch of the 28th of February last, instructing you to convoke a Legislative Assembly, but I am satisfied, from your language, that you are fully prepared to encounter that responsibility and to take the necessary steps.

With respect to the franchise, you have, I do not doubt, very good reason for considering that it is too much restricted by the terms of your Commission. It seems to me, however, that the best course will be not for the present to alter the Commission; but that you should act on it in the first instance, and bring upon the Assembly convoked with it, a measure for extending the suffrage in the manner which you propose.

I have, &c.  
(signed) *H. Labouchere.*

— No. 3. —

(No. 18.)

No. 3.  
Right Hon. H. Labouchere, M. P., to  
Governor Douglas,  
21 Oct. 1856.

COPY of DESPATCH from the Right Honourable *H. Labouchere*, M. P., to  
Governor *Douglas*.

Sir,

Downing-street, 21 October 1856.

I HAVE to acknowledge the receipt of your despatch dated 22d July,† No. 15, enclosing minutes of the proceedings in the Council of Vancouver's Island, on the 4th and 9th of June last, together with the copy of a Proclamation convening Assemblies of freeholders, and remarking generally on the state of the colony.

† Page 454.

I have, &c.  
(signed) *H. Labouchere.*

— No. 4. —

(No. 19.)

No. 4.  
Right Hon. H. Labouchere, M. P., to  
Governor Douglas,  
10 Nov. 1856.

EXTRACT of DESPATCH from the Right Honourable *H. Labouchere*, M. P., to  
Governor *Douglas*; dated Downing-street, 10 November 1856.

I HAVE to acknowledge the receipt of your despatch, No. 19, ‡ of the 20th of August. I have read with satisfaction the speech with which you opened the Session of the Legislature on the 12th August. With respect to the difficulty you experience in constituting a committee to inquire into the validity of the disputed elections; it is probable that that difficulty will have been removed before the receipt of this despatch.

I shall, therefore, await your further report upon the subject.

‡ Page 456.

## — No. 5. —

Appendix, No. 19.

(No. 4.)

COPY of DESPATCH from the Right Honourable *H. Labouchere*, M.P., to  
Governor *Douglas*.

Sir,

Downing-street, 24 January 1857.

I HAVE to acknowledge your despatch, No. 30,\* of the 31st October last, reporting the proceedings of the House of Assembly of Vancouver's Island.

I have, &amp;c.

(signed) *H. Labouchere*.

No. 5.  
Right Hon. *H. Labouchere*, M.P., to  
Governor *Douglas*,  
24 Jan. 1857.

\* Page 438.

## — No. 6. —

(No. 6.)

COPY of DESPATCH from the Right Honourable *H. Labouchere*, M.P., to  
Governor *Douglas*.

Sir,

Downing-street, 24 March 1857.

I HAVE to acknowledge your despatch, No. 2,† of the 9th January, reporting the proceedings of the House of Assembly of Vancouver's Island, from the 13th November to the 18th December 1856.

I have, &amp;c.

(signed) *H. Labouchere*.

No. 6.  
Right Hon. *H. Labouchere*, M.P., to  
Governor *Douglas*,  
24 Mar. 1857.

† Page 459.

## DESPATCHES FROM GOVERNOR DOUGLAS.

## — No. 7. —

(No. 12.)

EXTRACT of DESPATCH from Governor *Douglas* to the Right Honourable  
*H. Labouchere*, M.P.; dated Victoria, Vancouver's Island, 22 May 1856.

(Received, 12 August 1856.)

(Answered, No. 18, 23 August 1856, page 452.)

No. 7.  
Governor *Douglas*  
to Right Hon. *H. Labouchere*, M.P.,  
22 May 1856.

I HAVE the honour to acknowledge the receipt of your despatch No. 5,‡ of the 28 February last, with its enclosures.

‡ Page 451.

It is, I confess, not without a feeling of dismay that I contemplate the nature and amount of labour and responsibility which will be imposed upon me, in the process of carrying out the instructions conveyed in your despatch. Possessing a very slender knowledge of legislation, without legal advice or intelligent assistance of any kind, I approach the subject with diffidence; feeling, however, all the encouragement which the kindly-promised assistance and support of Her Majesty's Government is calculated to inspire.

Under those circumstances, I beg to assure you that every exertion on my part shall be made, to give effect to your said instructions at as early a period as possible.

I have not had time, since the arrival of your despatch, to consider the subjects treated therein as thoroughly as their importance requires; and therefore have not arrived at any definite conclusion as to the precise plan for carrying your instructions into effect. I will, however, take the liberty of addressing you again on the subject. I observe that the terms of my Commission only empower me "to summon and call general assemblies of the inhabitants owning 20 or more acres of freehold land within the said island," apparently restricting the elective franchise to the holders of 20 acres of land and upwards, to the exclusion of holders of houses and other descriptions of town property, a class more numerous than the former. I am utterly averse to universal suffrage, or making population the basis of representation; but I think it expedient to extend the franchise to all persons holding a fixed property stake, whether houses or lands in the colony; the whole of that class having interests to serve, and a distinct motive for seeking to improve the moral and material condition of the colony.

With those remarks, I would here take the liberty of inquiring if it is the desire of Her Majesty's Government to restrict the elective franchise to the holders of 20 acres of land or upwards, or to give the representation a more extended basis.

The mail is on the point of leaving, and I am therefore compelled to bring my remarks thus abruptly to a close.

Appendix, No. 19.

— No. 8. —

No. 8.

(No. 14.)

Governor Douglas  
to Right Hon. H.  
Labouchere, M.P.,  
7 June 1856.

EXTRACT of DESPATCH from Governor *Douglas* to the Right Hon. *H. Labouchere*, M.P.;  
dated Victoria, Vancouver's Island, 7 June 1856.

(Received, 12 August 1856.)

(Answered, No. 16, 23 August 1856, page 452.)

\* Page 453.

SINCE I had the honour of addressing you on the 22d May last,\* I have held a meeting of Council for the purpose of taking into consideration the instructions contained in your despatch, No. 5, respecting the summoning of Assemblies of the freeholders of this colony.

I read to Council a draft of the proclamation which I intend to issue for convening the Assembly; proposed that the island should be divided into four electoral districts, and should return seven members; and that the property qualification of members should be freehold estate of the value and not lower than 300 l. sterling. The property qualification of voters to be according to the terms of Her Majesty's Commission, 20 acres or upwards of freehold land.

The Council adjourned without coming to any decision till to-morrow, for the better consideration of the subjects laid before them.

The proclamation for convening the freeholders will probably be issued in the course of this week, and the Assembly will probably meet about the first week in August.

There will be a difficulty in finding properly qualified representatives; and I fear that our early attempts at legislation will make a sorry figure; though at all events, they will have the effect you contemplate, of removing all doubts as to the validity of our local enactments.

— No. 9. —

No. 9.

(No. 15.)

Governor Douglas  
to Right Hon. H.  
Labouchere, M.P.,  
22 July 1856.

EXTRACT of DESPATCH from Governor *Douglas*, to the Right Hon. *H. Labouchere*, M.P.;  
dated Victoria, Vancouver's Island, 22 July 1856.

(Received, 14 October 1856.)

(Answered, No. 18, 21 October 1856, page 452.)

I HAVE the honour of enclosing herewith minutes of the proceedings in the Council of Vancouver's Island, on the 4th and 9th of June last. I stated in my communication of the 7th of June,† the subjects which had been laid before the Council on the 4th of that month. The propositions in respect to the convening and constitution of the Assembly, were approved and passed without alteration at the meeting of the 9th of June.

In order to suit the circumstances of the colony, the property qualification of members was limited to the ownership of 300 l. of freehold estate, or upwards. To have fixed upon a higher standard of qualification, would have disqualified all the present representatives, leaving no disposable persons to replace them, and it appeared to me impolitic, as well as unconstitutional, to dispense altogether with the property qualification.

You will observe by the said minutes, that absentee proprietors of freehold estates are allowed to vote through their resident agents or attorneys, after the example of British Guiana.

The division of the settlements into four electoral districts, admits of a more equal representation, and has given more general satisfaction to the colonists, than a single poll opened in any one district.

The electors are so few in number, that the returns were mere nominations in all the districts with the exception of Victoria, where the contest was stoutly maintained by no fewer than five rival candidates.

The elections are now over, and the Assembly is convened for the 12th day of August.

† Supra.

Encl. 1, in No. 9.

Enclosure 1, in No. 9.

WHEREAS it having pleased Her most Gracious Majesty, our Lady the Queen, in a commission under the Great Seal of the United Kingdom of Great Britain and Ireland; constituting me, James Douglas, Governor of Vancouver's Island and its dependencies, to authorise, empower, and command me in the manner and terms following; to wit,

We do hereby give and grant unto you full power and authority, with the advice and consent of our said Council, from time to time as need shall require, to summon and call general assemblies of the inhabitants, owning 20 or more acres of freehold land, within the said island and its dependencies under your Government, in such manner and form, and according to such powers, instructions, and authorities as shall be at any time hereafter granted or appointed under our sign manual and signet, or by our order in our Privy Council, or by us, through one of our principal Secretaries of State, and our will and pleasure

is,

is, that the persons thereupon duly elected by the major part of the said freeholders, and so returned, shall, before their sitting, take the oath of allegiance; which oath you shall commission fit persons under the public seal of our said island and its dependencies, to tender and administer unto them, and until the same shall be so taken, no person shall be capable of sitting, though elected. Appendix, No. 19.

And we do hereby declare, that the persons so elected and qualified, shall be called and deemed the General Assembly of our said island of Vancouver:

And whereas, Her most Gracious Majesty, having further in her aforesaid instructions in that behalf, commanded and authorised me in the terms and manner following, viz. :—

You are therefore for the purpose of electing the members of such assemblies, hereby authorised to issue a proclamation, declaring the number of representatives to be chosen by such freeholders, to serve in the said General Assembly, and if you should see fit, dividing our said island and its dependencies into districts or counties, towns or townships, and declaring the number of representatives to be chosen by each of such districts or counties, towns or townships respectively.

And you are hereby authorised and empowered to nominate and appoint proper persons to execute the office of returning officer in the said island, or in such districts or counties, towns or townships respectively; and you are, as soon as you shall see expedient, to issue writs in our name, directed to the proper officers in the said island, or the proper officers in such districts or counties, towns or townships, respectively, directing them to summon the aforesaid freeholders to proceed to the election of persons to represent them in the General Assembly, according to the regulations and directions to be signified in the proclamation to be issued by you as aforesaid.

Now let it be known unto all Her Majesty's loving subjects of Vancouver's Island, and its dependencies, that I, James Douglas, Governor of the said island and its dependencies, with the advice and consent of the Council, have issued out writs in due form and according to law, calling a general assembly of the freeholders aforesaid of Vancouver's Island and its dependencies, for the purpose of electing members to serve in the said General Assembly, which writs are to be returnable on Monday the 4th day of August next, and that the said election shall be held at the several precincts hereinafter appointed and named.

And also, that the said freeholders shall thereupon proceed to elect seven fit and discreet persons to serve in the said General Assembly.

And also, that we have divided the said island and its dependencies into districts, as follows; to wit,

District of Victoria.	District of Nanaimo.
District of Esquimalt and Metchosen.	District of Soke.

And also, that the number of representatives shall be as follows; to wit,

District of Victoria	3 members.
District of Esquimalt and Metchosen	2 members.
District of Nanaimo	1 member.
District of Soke	1 member.

And also, that we have hereby constituted and appointed the following persons returning officers for the aforesaid districts; to wit,

Andrew Muir	Victoria District.
Herbert W. O. Margary	Esquimalt and Metchosen District.
Charles E. Stuart	Nanaimo District.
John Muir, jun.	Soke District.

And also, that the said returning officers shall be directed to give due and proper notice of the place and time at which the poll is to be taken in each of such districts respectively.

Given under my hand and seal, at Government House, Victoria, this 16th day of June, in the Year of our Lord one thousand eight hundred and fifty-six, and in the nineteenth year of Her Majesty's reign.

(signed) James Douglas, Governor.

GOD SAVE THE QUEEN.



Appendix, No. 19.

Encl. 2, in No. 9.

Enclosure 2, in No. 9.

## MINUTE of COUNCIL.

Vancouver's Island, 4 June 1856.

THE Council having met this morning, pursuant to summons, the Governor being present and the following members; to wit, John Tod, senior member, James Cooper, Roderick Finlayson, John Work,—

The Governor proceeded to lay before the Council certain instructions lately received by him from the Secretary for the Colonies, instructing him to call general assemblies of the people for the purpose of carrying Her Majesty's instructions fully into effect; and the Council adjourned at 5 o'clock p.m. till Monday the 9th of June.

9 June 1856.

THE Council having met this morning, pursuant to adjournment, the Governor being present, and the following members; to wit, John Tod, senior member, James Cooper, John Work,—

Resume the consideration of Her Majesty's instructions for calling general assemblies of the freeholders of Vancouver's Island.

The subjects under consideration on the 4th instant were as follows; to wit,

The property qualification of members serving in the general assembly.

The property qualification of voters.

The right of absentee proprietors to be represented in the general assembly.

The Governor laid down as a principle that the custom or practice observed in England should, as far as possible, be adopted in this colony in framing the rules for elections, and proposed,

That the ownership of 300 l. of freehold property or immovable estate should constitute the qualification of a member of the Assembly.

That absentee proprietors shall be permitted to vote through their agents or attorneys.

That the qualification of voters should be the ownership of 20 acres of freehold land or upwards, as required by his instructions from the Crown.

The Council expressed their unanimous concurrence with those suggestions, and the proposed regulations are finally settled and approved.

It was then resolved that the settlements should be divided into four electoral districts; viz.,

Victoria District	- -	The country east of the Victoria Arm, and of a line running in a northerly direction towards Sanitch, so as to include Peer's Farm.
Esquimalt District	- -	The country west of Victoria Arm and east of Pedder Bay, including M'Kenzie's and the farms west of Colquot's River.
Soke District	- -	From Pedder Bay to Otter Head, the headland beyond Soke.
Nanaimo District	- -	Colville Town.

It was then resolved, That this Council do now adjourn.

— No. 10. —

(No. 19.)

No. 10.  
Governor Douglas  
to Right Hon. H.  
Labouchere, M.P.,  
20 Aug. 1856.

EXTRACT of DESPATCH from Governor Douglas to the Right Honourable H. Labouchere, M.P.; dated Victoria, Vancouver's Island, 20 August 1856.

(Received, 28 October 1856.)

(Answered, No. 19, 10 November 1856, page 452.)

THE House of Assembly was opened on the 12th of the present month. The affair passed off quietly, and did not appear to excite much interest among the lower orders.

I herewith forward a copy of my address to the Assembly on that occasion, which I can only hope will meet with your approbation. As mentioned in one of my previous communications, the House of Assembly consists of seven members, viz.

John Muir	- - - - -	Soke District.
John S. Helmcken	- - - - -	Esquimalt District.
Thomas Skinner	- - - - -	

J. D. Pemberton

J. D. Pemberton }  
 James Yates }  
 E. E. Langford }  
 John F. Kennedy }

Victoria District.

Nanaimo District.

Appendix, No. 19.

J. S. Helmcken has been elected Speaker of the House, but nothing further has been done; in consequence of objections having been raised to the validity of the election in one instance, and to the property qualification in two cases, making three out of the seven members against whose return petitions have been sent in, leaving only the Speaker and three members at liberty to act, and that number is insufficient to form a committee of inquiry, the House, therefore, hardly know how to get over the difficulty. One of the petitions is evidently got up for mere party purposes, and if that were withdrawn, there would be four members and the Speaker, who might proceed to regulate the affairs of the House. In the territorial governments of the United States, the practice in such cases is, for the governor to grant certificates of qualification to a majority of the members, who then proceed to constitute the House, but I am not certain if such a course would be in harmony with English law; nevertheless, if the House should appeal to me on the subject, I will have recourse to that expedient.

Enclosure in No. 10.

Encl. in No. 10.

The Governor's Address on opening the General Assembly at *Victoria*,  
 Tuesday, 12 August 1856.

Gentlemen of the Legislative Council, and of the House of Assembly.

I congratulate you most sincerely on this memorable occasion; the meeting in full convention of the General Assembly of Vancouver's Island, an event fraught with consequences of the utmost importance to its present and future inhabitants; and remarkable as the first instance of representative institutions being granted in the infancy of a British colony.

The history and actual position of this colony are marked by many other remarkable circumstances. Called into existence by an Act of the Supreme Government, immediately after the discovery of gold in California, it has maintained an arduous and incessant struggle with the disorganising effects on labour of that discovery. Remote from every other British settlement, with its commerce trammelled, and met by restrictive duties on every side, its trade and resources remain undeveloped.

Self-supporting, and defraying all the expenses of its own Government, it presents a striking contrast to every other colony in the British empire, and like the native pines of its storm-beaten promontories, it has acquired a slow but hardy growth.

Its future progress must, under Providence, in a great measure depend, on the intelligence, industry, and enterprise of its inhabitants, and upon the legislative wisdom of this Assembly.

Gentlemen, I look forward with confidence and satisfaction to the aid and support which the executive power may in future expect to derive from your local experience and knowledge of the wishes of the people, and the wants of the country. I feel assured that, as public men, holding a solemn and momentous trust, you will, as a governing principle, strive with one accord to promote the true and substantial interests of the country; and that our legislative labours will be distinguished alike by prudence, temperance, and justice to all classes.

Gentlemen, I am happy to inform you, that Her Majesty's Government continue to express the most lively interest in the progress and welfare of this colony.

Negotiations are now pending with the Government of the United States, which may probably terminate in an extension of the reciprocity treaty to Vancouver's Island.

To show the commercial advantages connected with that treaty, I will just mention that an import duty of 30 l. is levied on every 100 l.'s worth of British produce which is now sent to San Francisco, or to any other American port; or, in other words, the British proprietor pays as a tax to the United States, nearly the value of every third cargo of fish, timber, or coal, which he sends to any American port. The reciprocity treaty utterly abolishes those fearful imposts, and establishes a system of free trade in the produce of British colonies.

The effects of that measure, in developing the trade and natural resources of the colony, can, therefore, hardly be over-estimated.

The coal, the timber, and the productive fisheries of Vancouver's Island, will assume a value before unknown; while every branch of trade will start into activity, and become the means of pouring wealth into the country.

So unbounded is the reliance which I place in the enterprise and intelligence possessed by the people of this colony, and in the advantages of their geographical position, that, with equal rights and a fair field, I think they may enter into successful competition with the people of any other country.

The extension of the reciprocity treaty to this island once gained, the interests of the colony will become inseparably connected with the principles of free trade, a system which, I think, it will be sound policy on our part to encourage.

## Appendix, No. 19.

Gentlemen, the colony has been again visited this year by a large party of northern Indians, and their presence has excited in our minds a not unreasonable degree of alarm.

Through the blessing of God, they have been kept from committing acts of open violence, and been quiet and orderly in their deportment; yet the presence of large bodies of armed savages, who have never felt the restraining influences of moral and religious training, and who are accustomed to follow the impulses of their own evil natures, more than the dictates of reason or justice, gives rise to a feeling of insecurity, which must exist as long as the colony remains without military protection.

Her Majesty's Government, ever alive to the dangers which beset the colony, have arranged with the Lords Commissioners of the Admiralty, that the "President" frigate should be sent to Vancouver's Island; and that measure will, I have no doubt, be carried into effect without delay.

I shall, nevertheless, continue to conciliate the good will of the native Indian tribes, by treating them with justice and forbearance, and by rigidly protecting their civil and agrarian rights; many cogent reasons of humanity and sound policy recommend that course to our attention, and I shall therefore rely upon your support in carrying such measures into effect.

We know, from our own experience, that the friendship of the natives is at all times useful, while it is no less certain that their enmity may become more disastrous than any other calamity to which the colony is directly exposed.

Gentlemen of the House of Assembly, according to constitutional usage, with you must originate all Money Bills; it is, therefore, your special province to consider the ways and means of defraying the ordinary expenses of the government, either by levying a Customs duty on imports, or by a system of direct taxation.

The poverty of the country and the limited means of a population struggling against the pressure of numberless privations, must necessarily restrict the amount of taxation; it should, therefore, be our constant study to regulate the public expenditure according to the means of the country, and to live strictly within our income.

The common error of running into speculative improvements, entailing debts upon the colony, for a very uncertain advantage, should be carefully avoided.

The demands upon the public revenue will at present chiefly arise from the improvement of the internal communications of the country, and providing for the education of the young, the erection of places for public worship, the defence of the country, and the administration of justice.

Gentlemen, I feel, in all its force, the responsibility now resting upon us. The interests and well-being of thousands yet unborn may be affected by our decisions, and they will reverence or condemn our acts according as they are found to influence for good or for evil the events of the future.

Gentlemen of the House of Assembly, I have appointed Chief Justice Cameron to administer the oath of allegiance to the Members of your House, and to receive your declarations of qualification; you may then proceed to choose a Speaker, and to appoint the officers necessary for the proper conduct of the business of the House.

(signed) *James Douglas, Governor.*

— No. 11. —

(No. 30.)

No. 11.

Governor Douglas  
to Right Hon. H.  
Labouchère, M. P.,  
31 Oct. 1856.

COPY of DESPATCH from Governor Douglas to the Right Honourable  
*H. Labouchère, M. P.*

Victoria, Vancouver's Island, 31 October 1856.  
(Received, 14 January 1857.)

Sir,

(Answered, No. 4, 24 January 1857, page 433.)

• Page 452.

1. I HAVE the honour to acknowledge the receipt of your despatch, No. 16\* of the 23d of August, in reply to my communications Nos. 12 and 14 of the 22d May and the 7th of June last, reporting my proceedings in respect to carrying out the instructions contained in your despatch of the 28th of February 1856, for convoking a Legislative Assembly in this colony, and requesting advice and instructions from you on various subjects connected with that measure.

2. I have since, in my several despatches of the numbers and dates mentioned in the margin, reported to you the several steps taken towards carrying those instructions into effect, and the formal opening of the House of Assembly on the 12th day of August last, together with the objections raised to the property qualification of certain members, who took their seats on that occasion, and the consequent difficulty experienced in organising the House.

3. After

No. 15,  
22 July 1856.

No. 19,  
20 August 1856.

# SELECT COMMITTEE ON THE HUDSON'S BAY COMPANY.

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3. After repeated adjournments, the Speaker, with much tact and address, finally succeeded, without my interference, in adjusting party differences and forming a committee, which immediately proceeded with an inquiry into the qualifications of the members elect, and declared the return of Edward E. Langford null and void, in consequence of his not having sufficient property to constitute a legal qualification; and then adjourned to the 24th day of October (present):

4. A fresh writ was in consequence issued, and Joseph William McKay was returned without opposition as member for the district of Victoria, in the place of Edward E. Langford.

5. The House met on the 24th day of the present month (October), and after some necessary arrangements adjourned to the 13th day of November next, when they will be prepared for serious work.

6. Those delays have not been without their use, as the members have had time to prepare for the proper discharge of the public duties they have to perform, and their minds have been disabused of many false notions, which were commonly entertained here, concerning the powers and jurisdiction of the House of Assembly, so that on the whole I do not regret the time spent in constituting the House.

7. I observe with satisfaction that in abiding by the terms of my Commission, in respect to the franchise, I have acted in conformity with the instructions on that point contained in your despatch, and we shall further carry out your instructions by bringing a measure before the Assembly, when it is found desirable to extend the suffrage.

I have, &c.  
(signed) James Douglas,  
Governor.

— No. 12. —

(No. 2.)

COPY of DESPATCH from Governor Douglas to the Right Honourable  
H. Labouchere, M. P.

Victoria, Vancouver's Island, 9 January 1857.

(Received 17 March 1857.)

No. 12.  
Governor Douglas  
to Right Hon. H.  
Labouchere, M. P.,  
9 Jan. 1857.

Sir,

(Answered, No. 6, 24 March 1857, page 453.)

1. My last report of the 31st of October †, on the proceedings of the House of Assembly, closed with its adjournment to the 13th day of November, when it again met, and remained in session till the 18th of December; it then adjourned for the Christmas recess.

† Page 458.

2. The House has been so far chiefly occupied with matters of detail, connected with the expenditure and financial condition of the colony. I furnished every means of information in my power connected with those subjects, as you will observe through my correspondence with the House, which is herewith forwarded.

3. A Bill granting the sum of 130 £ sterling, for paying the servants and defraying the ordinary expenses of the House, was passed on the 18th day of December, and the same will be brought before the Council at an early day.

4. I am now preparing a Bill for imposing a Custom's duty on imports, as a means of meeting the ordinary expenses of Government; but the subject must be approached with caution, as there is a very general feeling in both Council and Assembly against taxation under any form, and I am prepared to encounter much clamour and opposition in carrying so unpopular a measure through the Houses.

I have, &c.  
(signed) James Douglas,  
Governor.

Enclosure in No. 12.

Encl. in No. 12.

Victoria, Vancouver's Island.

RETURNS to three Addresses of the Honourable the House of Assembly, numbered respectively 11, 12, 13, without date, viz. 21.

Address, No. 11.

For a new writ for the election of a member for the district of Victoria. — (Mr. Skinner.)

o.24—Sess. 2.

3 M 2

Address,

Appendix, No. 19.

Address, No. 12.

*Incomplete.*

For a correct copy of the Grant of Vancouver's Island, and of any other documents of a public nature calculated to throw light upon the political position of Vancouver's Island. Likewise a general abstract of colonial accounts, since the first formation of the colony, showing the present income and expenditure.—(Mr. Pemberton.)

Address, No. 13.

That this House is prepared to receive any message from his Excellency the Governor or Council.—(Mr. Skinner.)

## SCHEDULE.

- No. 1.—A writ for a new election of one citizen for the town of Victoria; with return from sheriff.
- No. 2.—Charter of grant of Vancouver's Island to the Hudson's Bay Company, dated 13 January 1849, and correspondence between the Colonial Office and the Hudson's Bay Company thereon: with circular, colonisation of Vancouver's Island.
- No. 3.—Extracts from the Governor's despatch to William G. Smith, Esq., Secretary, Hudson's Bay Company, dated 16 October 1856.
- No. 4.—Extracts from the Governor's despatch to William G. Smith, Secretary, Hudson's Bay Company, dated 19 July 1855.

Government House, Victoria, Vancouver's Island,  
27 November 1856.

Mr. Speaker and Gentlemen of the House of Assembly,

I HEREWITH transmit the documents described in the accompanying schedule, for your information. The colonial accounts, extending to the close of 1855, are not yet completed, and therefore cannot be laid before the House in full.

You will, however, find, among the documents now transmitted, an account of all lands appertaining to the public domain of this colony, which have been sold up to the 10th day of October last, and also a classified abstract of the expenditure of the colony, for the year ending with the 1st day of November 1855.

In addition to the proceeds arising from sales of the public domain appearing in the documents herewith, the sum of 6,193*l.* has been received from the Hudson's Bay Company, for lands purchased on their account within the colony.

Further documents, relative to the financial state of the colony, will be sent to the House as soon as they are made up.

I have to recommend that a sufficient money appropriation be made by the House to defray the expense of preparing any documents required for their information in future, as there are at present no funds at my disposal for that purpose.

I beg that the charter of grant of Vancouver's Island may be returned when convenient, as I have no other copy.

(signed) *James Douglas,*  
Governor, Vancouver's Island.

EXTRACTS from the Governor's Despatch to *William G. Smith, Esq.,* Secretary, Hudson's Bay Company, dated 16 October 1856.

I HAVE the honour of transmitting herewith a statement of the lands, forming part of the public domain, which have been sold in this colony since the 12th day of July 1855, up to the 10th day of this present month of October 1856.

You will observe, by statement No. 1, that the whole quantity of land sold since last year, amounts to 2,137 acres. The extent of unimprovable rock, added to the allowance made for roads, somewhat exceeds 837 acres, leaving 1,299 acres 3 roods and 26 perches chargeable to purchasers, on which 512*l.* 17*s.* 6*d.* has been already paid in, and there remains payable by annual instalments the sum of 787*l.* 0*s.* 10*d.*

The public expenditure of the colony for the twelvemonth ending with the 1st day of November 1855, amounts to the sum of 4,107*l.* 2*s.* 3*d.* The income arising from the duty on licensed houses, sales of public land, and other sources, produced the sum of 693*l.* 2*s.* 10*d.*

The

# SELECT COMMITTEE ON THE HUDSON'S BAY COMPANY. 461

The balance of the account in this country remaining unpaid, is therefore 3,413 l. 19 s. 5 d., as will appear in the following exhibit of the public objects to which that outlay was applied; viz. :—

Government premises - - - - -		£.	s.	d.
Surveying department supplies - - - - -	£. 183 18 1	7	5	10
" " wages - - - - -	500 - - -			
		683	18	1
Construction of bridges - - - - -	720 14 7			
" " roads - - - - -	667 10 10			
		1,388	5	5
Victoria church - - - - -	- - - - -	877	1	-
Public schools - - - - -	- - - - -	320	4	11
Victoria parsonage - - - - -	- - - - -	117	9	4
Chaplain, salary and board - - - - -	- - - - -	368	7	1
Collector's office - - - - -	- - - - -	1	7	6
Poor-rates - - - - -	- - - - -	10	10	3
Administration of justice - - - - -	- - - - -	100	-	-
Gaol expenses - - - - -	- - - - -	30	9	2
Militia - - - - -	- - - - -	81	8	8
Sundry expenses - - - - -	- - - - -	107	14	1
Overcharge from last account - - - - -	- - - - -	12	-	11
	£.	4,107	2	3
The sums placed to credit of the colony are as follows; viz. :—				
Sundry credits - - - - -	£. 18 5 4			
Land sales, &c. - - - - -	334 17 6			
Duty on licensed houses - - - - -	340 - - -			
		693	2	10
Leaving a balance unpaid as before said of - - - - -	£.	3,413	19	5

There is a further sum of 65 l. 6 s. 8 d. arising from proceeds of land sales effected last year, which was omitted in the fur trade books, but will be brought forward this year.

## EXTRACT from the Governor's Despatch to *William G. Smith, Esq., Secretary, Hudson's Bay Company*, dated 19 July 1855.

A COMPLETE account of all the land sales (see No. 1) made on Vancouver's Island, the company's purchase at Nanaimo excepted, since the commencement of the colony, is herewith transmitted. A proportion of the land has been paid only in part, but the payments will be completed as soon as the title-deeds are ready for issue, otherwise the titles will not be issued to the purchaser.

The amount of receipts for land sold, and stamps, as per this account is -		£.	s.	d.
		6,871	9	4
Remitted per last account, dated 10th October 1853 -	£. s. d.	3,577	5	2
Paid by the Paget's Sound Company in London -	2,574 - - -			
Paid by W. C. Grant and J. Huggins in London -	120 - - -			
		6,271	5	2
Remains on hand - - - - -	£.	600	4	2
As per statement No. 2:				
200 l. of this balance was paid over to the fur trade—say bill from Arthur W. Owen - - - - -	£. 150			
Transfer from W. H. McNeil - - - - -	50			
	200 - - -			
And credited the colony in the books of outfit 1854, and the balance, say - - - - -	400 4 2			
Has been paid over to the fur trade on account of outfit, 1855.				
£.	600 4 2	600	4	2

Appendix, No. 19.

You will observe by statement No. 2, an account of land sales effected and monies received for stamps at this place since my last report of land sales, dated 6th October 1853, the amount being 600*l.* 4*s.* 2*d.*

House of Assembly, Vancouver's Island,  
3 December 1856.

THE Speaker begs to inform his Excellency the Governor that the House of Assembly met this day adopted the following resolutions, and ordered the same to be presented to your Excellency.

1st. That the thanks of this House be presented to his Excellency the Governor for the communication of November 27th, 1856, and that the subject "relating to a supply of money for copying documents, &c." shall be taken into consideration at an early period.

2d. It was resolved, That respectful application be made, on the part of the House of Assembly, to know "what funds are subject to its control (if any), the amount of the same, and from what source derived; also, what fund is the royalty upon coal paid into?"

3d. That T. J. Skinner, Esq. was elected Chairman of Committee and Deputy Speaker.

The House stands adjourned until Saturday next, December 6th; then to meet at 10 a. m.

(signed) J. S. Helmcken, Speaker.

Government House, Victoria, Vancouver's Island,  
6 December 1856.

Mr. Speaker and Gentlemen of the House of Assembly,

I HAVE further to transmit with this communication abstracts of the income and expenditure of the colony for the two years ending respectively with the 31st day of October 1853 and 1854.

I have received your Speaker's address of the 3d day of December, and highly appreciate your complimentary message.

In reply to the following questions of the House, "What funds are subject to its control?" "the amount of such funds?" "from what source derived?" and "to what fund is the royalty upon coal paid into?" I would observe that I am not at present prepared to give the House a reliable and decided answer. My own impression, however, is; that the House can exercise a direct control only, over the revenue raised in the colony through the act of the general Legislature.

The revenue derived from the tax on licensed houses is therefore, I conceive, the only fund absolutely at our disposal; the proceeds arising from "land sales," "royalties," and "timber duties" being remitted and placed to account of the Reserve Fund in England, which is, however, also exclusively applicable for colonial purposes, with the exception of 10 per cent, allowed by virtue of the charter of grant to the Hudson's Bay Company.

The amount of revenue derived from the duty on licensed houses, for the respective years mentioned, is given in the annexed table:—

	£.	s.	d.
Year 1853	220	—	—
„ 1854	460	—	—
„ 1855	340	—	—

Those sums are also embodied in the abstracts of the colonial accounts transmitted to the House.

(signed) James Douglas,  
Governor, Vancouver's Island.

House of Assembly, Vancouver's Island,  
6 December 1856.

The Speaker,  
HAS the honour to inform his Excellency the Governor, that the House of Assembly resolved this day:

"That the Speaker be requested to thank his Excellency the Governor, on behalf of this House, for the information so courteously and promptly afforded;" and further, "to apply to his Excellency for similar information for the year ending November 1856;" as also to ask, "Whether there is any charge against the Licence Fund, to come under their control from that date."

The House of Assembly will meet again on Wednesday next, at 11 a. m., and resolve itself into a Committee of Supply.

(signed) J. S. Helmcken, Speaker.

Government House, Victoria,  
10 December 1856.

Mr. Speaker and Gentlemen of the House of Assembly,  
I HAVE received your address, through Mr. Speaker's communication of the 6th December, and I thank you, gentlemen, for your kind message.

I herewith transmit, for your information, an abstract of the expenditure and income of the colony, made up to the 31st day of October last, excepting, however, the income derivable from the royalty on coals, and the duty on timber, of which a statement will be sent to the House as soon as the returns are received.

With respect to your inquiry touching the application of the duty on licensed houses for the year 1856, I have to inform the House that the whole sum derived from that source of revenue was paid over to the Hudson's Bay Company immediately after collection, and was carried, with the other proceeds of revenue, to the credit of the General Colony Account, as shown by the abstract of the year's income transmitted with this communication.

(signed) *James Douglas,*  
Governor, Vancouver's Island.

House of Assembly, Vancouver's Island,  
10 December 1856.

The Speaker,  
ON the part of the House of Assembly, begs respectfully to acknowledge the receipt this day of a gracious communication, and an abstract of the income and expenditure for the year 1856 from his Excellency the Governor, and to inform his Excellency that the House of Assembly unanimously resolved:

"That the thanks of this House be presented to his Excellency the Governor for the same."

(signed) *J. S. Helmcken,* Speaker.

House of Assembly, Victoria,  
13 December 1856.

The Speaker,  
HAS the honour respectfully to inform his Excellency the Governor, that the House of Assembly resolved this day,

"That a requisition be made to his Excellency the Governor, for a copy of the last 'Census' of the population of Vancouver's Island," and further, "that any other information connected therewith will be thankfully received."

The House will meet on Thursday next, the 18th instant, at 11 o'clock, a.m.

(signed) *J. S. Helmcken,* Speaker.

Victoria, Vancouver's Island, 17 December 1856.

Mr. Speaker and Gentlemen of the House of Assembly,

I HAVE received Mr. Speaker's communication of the 13 day of December, containing the Requisition of the House "for a copy of the last Census of the population of Vancouver's Island;" and I have in consequence the honour of forwarding with this letter, the documents described in the annexed schedule.

Not having time to procure copies, I have sent the original documents, which the House will probably cause to be returned when convenient.

(signed) *James Douglas,* Governor.

Schedule No. 1.—Census Returns, Vancouver's Island Colony, 1855.

„ No. 2.—Indian Population, Vancouver's Island, 1856.

House of Assembly of Vancouver's Island,  
18 December 1856.

The Speaker,

ON behalf of the House of Assembly, begs respectfully to acknowledge the receipt of "the Census of the white and Indian population of Vancouver's Island," from his Excellency the Governor, and has the honour in the name of the House, "to thank his Excellency for the same," and that they shall be returned at an early period.

He also begs to inform his Excellency that Mr. R. Barr wishes to resign his office of clerk of the House *pro tem*.

(signed) *J. S. Helmcken,* Speaker.



Appendix, No. 19.

House of Assembly of Vancouver's Island,  
18 December 1856.

The Speaker,

BEGS to inform his Excellency the Governor and Council, that the enclosed Appropriation Bill was first voted in Committee of Supply, and has subsequently passed through the usual stages of first, second, and third readings, and that it is now presented by order of the House for the consideration and approval of his Excellency the Governor and Council.

(signed) J. S. Helmcken, Speaker.

A BILL for the Appropriation of certain Monies for the use of the House of Assembly of Vancouver's Island.

WHEREAS it is necessary that certain sums of money be voted for defraying the unavoidable expenses attending the conduction of the business of the House of Assembly of Vancouver's Island, be it enacted:

1st. That 50*l.* sterling be placed at the disposal of his Excellency the Governor to defray the expenses of copying statistics and documents for the use of this House.

2d. That 10*l.* sterling be granted to Mr. Robert Barr for his past services as clerk of this House.

3d. That 5*l.* sterling be granted to Mr. Andrew Muir for his past service of sergeant-at-arms.

4th. That 25*l.* be allowed for the salary of the clerk of the House, for the year 1857.

5th. That 15*l.* be allowed for the salary of the serjeant-at-arms and messenger, for the year 1857.

6th. That 20*l.* sterling be granted for lighting, heating, and furnishing the House of Assembly, for the year 1857.

7th. That 5*l.* sterling be granted for stationery, for the use of the members of the House of Assembly.

8th. That the above items be paid out of the revenue derived from the licenses of July 16th, 1856.

Read the third time this 18th day of December 1856, A.D., and ordered to be forwarded to his Excellency the Governor and Council.

(signed) J. S. Helmcken, Speaker.

The following resolution relating to the preceding Appropriation Bill, was also agreed to 13th December 1856:

"That in the opinion of this House, the revenue received on the 16th day of July 1856, from the licenses to sell spirituous liquors, &c., ought to be withdrawn from the credit of the "Trust Fund."

(signed) J. S. Helmcken, Speaker.

To his Excellency *James Douglas*, Esq., Governor, &c. &c. &c.

Sir,

House of Assembly, Victoria, 19 December 1856.

I AM instructed by the Honourable the Speaker of the House of Assembly to acknowledge the receipt of your Excellency's communication and documents of the 17th instant, and to thank your Excellency for the same; and also to inform your Excellency that the House will again meet on Wednesday next, the 24th instant, at 11 o'clock, a.m.

I have, &amp;c.

(signed) Robert Barr, Clerk pro tem.

— No. 13. —

No. 13.

Governor Douglas  
to Right Hon. H.  
Labouchere, M. P.,  
24 Feb. 1857.

(No. 5.)

COPY of a DESPATCH from Governor *Douglas* to the Right Honourable  
*H. Labouchere*, M. P.

\* Victoria, Vancouver's Island, 24 February 1857.  
(Received, 29 April 1857.)

Sir,

1. I HAVE the honour to acknowledge the receipt of your despatches, Nos. 18 and 19,\* of the 21st of October and the 10th of November last.

2. It is very gratifying to learn that the speech with which I opened the Legislature on the 12th of August, has received your approval.

3. The House of Assembly not having met for regular business since my report of the 9th of January, there is nothing of importance to add to the information then communicated respecting its proceedings.

4. The

4. The Council was convened on the 14th day of the present month, for the consideration of an Act passed by the House of Assembly on the 18th day of December, granting the sum of 130*l.* sterling, chargeable to the duties on licensed houses, to be applied, in the manner stated in the several clauses of the Act, as it appears in the minutes of Council forwarded herewith. This Act, with some few verbal alterations, passed the Council on that day, and will be transmitted after receiving the final approval of the House of Assembly.

5. The consideration of the Rules and Regulations of the Supreme Court for the administration of justice in civil cases, as submitted by Chief Justice Cameron, with a communication of which I herewith forward a copy, was taken up on the 14th, and finally passed the Council without alteration on the 17th of February.

6. A copy of those rules will also be transmitted for Her Majesty's final approbation or disallowance, as soon as transcribed and carefully revised, and by that time the official seal of the court, for which I took the liberty of sending a requisition with my despatch, No. 18, of the 14th of August last, will probably have arrived in this country, and will be attached to the document as directed by Her Majesty's Order in Council.

7. A copy of the proclamation of the Rules and Regulations of the supreme Court, published on the 18th of this month of February, is also forwarded with this despatch.

8. Hoping that those proceedings may meet with your approval,

I have, &c.  
(signed) *James Douglas,*  
Governor.

Enclosure I, in No. 13.

Encl. 1, in No. 13.

COPY of MINUTES of a Council held at *Victoria, Vancouver's Island*, on the 14th, and following days of February 1857.

Saturday, 14 February 1857.

THE Council having met this morning pursuant to a summons issued on the 13th of this present month; the Governor being present, and the following members, viz.: John Tod, senior member, Roderick Finlayson, John Work.

The Governor then proceeded to lay before the Council, an Act granting the sum of 130*l.* for defraying the unavoidable expenses of the House of Assembly, which was read for the third time, and passed the House on the 18th day of December last.

The Council having read the several clauses of the said Act, it was proposed as an amendment that the following words should be omitted in the preamble, that is to say, "attending the conduction of the business," and the following words in the 8th clause, viz.: "Licences of 16th July 1856", and that the Act be as follows:

A Bill granting certain Sums of Money for the use of the House of Assembly of *Vancouver's Island*.

Whereas it is necessary that certain sums of money be voted for defraying the unavoidable expenses of the House of Assembly of *Vancouver's Island*; be it therefore enacted;

1st. That 50*l.* sterling be placed at the disposal of his Excellency the Governor to defray the expenses of copying statistics and documents for the use of this House.

2d. That 10*l.* sterling be granted to Mr. Robert Barr for his past services as clerk of this House.

3d. That 5*l.* sterling be granted to Mr. Andrew Muir for his past services as serjeant-at-arms.

4th. That 25*l.* sterling be allowed for the salary of the clerk of the House for the year 1857.

5th. That 15*l.* sterling be allowed for the salary of the serjeant-at-arms and messenger, for the year 1857.

6th. That 20*l.* sterling be granted for lighting, heating, and furnishing the House of Assembly for the year 1857.

7th. That 5*l.* sterling be granted for stationery for the use of the Members of the House of Assembly.

8th. That the above items be paid out of the revenue derived from the duty charged on licensed houses.

The Act so amended was approved, and passed.

The Governor then proceeded to lay before the Council a letter from Chief Justice Cameron, transmitting a copy of the rules and manner of proceeding to be observed in the Supreme Court of Civil Justice of *Vancouver's Island*, drawn up in virtue of the authority

Appendix, No. 19. vested in the Court by Her Majesty's Order in Council, dated the 4th day of April 1856, which was submitted for the approval of the Council.

This document was before the Council until evening, when an adjournment took place to Monday, the 6th instant.

Monday, 16 February 1857.

The Council met this morning, pursuant to adjournment, the Governor and the same Members being present, as on Saturday the 14th instant.

Proceeded with the reading and consideration of the rules and manner of proceeding of the Supreme Court for the remainder of the day, and then adjourned to Tuesday the 17th instant.

Tuesday, 17 February 1857.

The Council met this morning according to adjournment, the Governor and the same Members being present, as on Monday the 16th instant. Completed the reading and consideration of the rules and manner of proceeding of the Supreme Court, which were unanimously approved and passed in Council.

The Council then adjourned.

(signed) *James Douglas*, Governor

Encl. 2, in No. 13.

Enclosure 2, in No. 13.

COPY of Letter from Chief Justice Cameron to Governor Douglas.

Sir,

Belmont, 12 February 1857.

I HEREWITH transmit, for the approval of your Excellency and your Honourable Council, a copy of the rules and manner of proceeding to be observed in the Supreme Court of Civil Justice of Vancouver's Island, drawn up in virtue of the authority vested in the Court by Her Majesty's Order in Council, dated the 14th day of April 1856.

As no seal has yet been received for the use of the Court, I have authenticated the copy by my signature, which I hope may suffice for its passing your Council. And as these rules cannot take effect until three months at least after publication, I hope your Excellency and Council will take action on them as speedily as possible.

I am, &c.

(signed) *David Cameron*, C. J.

Encl. 3, in No. 13.

Enclosure 3, in No. 13.

PROCLAMATION by his Excellency *James Douglas*, Governor and Commander-in-Chief of the Colony of *Vancouver's Island* and Dependencies, and Vice Admiral of the same, &c. &c. &c.

WHEREAS it hath pleased the Queen's Most Excellent Majesty, by and with the advice of Her Most Honourable Privy Council, in an order from the Court at Buckingham Palace, bearing date the 4th day of April 1856, to constitute a court for the administration of justice in civil cases in her colony of Vancouver's Island, and to vest in the said court power and authority to frame, constitute, and establish such rules and regulations as shall seem meet, touching and concerning the forms and manner of proceeding to be observed in the said court, and the practice in pleadings and other matters, as set forth and declared in Her Majesty's said Order in Council.

Now, be it known unto all Her Majesty's subjects, that the rules and regulations of the said court, as submitted by Chief Justice Cameron, have been approved, and passed the Council this 17th day of February 1857, and will take effect three months from the date hereof.

Given under my hand and seal, at Government House, Victoria, this 18th day of February in the year of our Lord 1857, and in the 20th year of Her Majesty's reign.

(signed) *James Douglas*, Governor. (SEAL.)

By his Excellency's command,

(signed) *Richard Gollidge*, Secretary.

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*Buffaloes.* Check to the habits of industry in the Red River settlement, in consequence of the tendency to hunt the swarms of buffaloes in the neighbourhood, *Lefroy* 199, 200—The buffaloes swarm to the north and south of the Saskatchewan, and are not diminishing in number, *ib.* 199-201, 331—The buffaloes are in better condition in summer than in winter, *ib.* 363, 364—The buffalo is only to be found in the prairie country, *Right Rev. Dr. Anderson* 4330-4332.

#### C.

*Caldwell, Lieutenant-Colonel William.* (Analysis of his Evidence.)—Went out to the Red River in June 1848, as commander of a pensioner corps, and as governor of Assiniboia; returned in October 1855; 5358, 5359—Was appointed by the Hudson's Bay Company, 5360—His functions were judicial and legislative, 5361, 5410-5414.

Tranquil condition of Red River settlement in 1855; 5362—Large proportion of half-breeds in the settlement, 5363—Troublesome conduct of the half-breeds when witness arrived; they require a stringent mode of government, 5364, 5372—Means of livelihood of the half-breeds, 5365-5368—Considerable distance generally of the fur trading posts from Red River, 5369-5371.

Improbability of increased settlement about Red River on account of its remoteness and the difficulty of access, 5373-5392—Great difficulties of the route from York Factory to Red River, as travelled by witness and his family when going and returning, 5376, 5615-5623—Particulars as to the enrolled pensioners, partly settlers and partly troops, with whom witness went out; some of them are still there, 5394-5406, 5564, 5565—Promise of free grants of land under which the pensioners agreed to go out as emigrants, 5407-5409, 5556.

As head of the legislative and judicial bodies, witness was assisted by a council and recorder, 5410-5414—Mr. Adam Thorn was the recorder for some time during witness's governorship; he had been in office since 1839; 5413, 5423, 5424—Way in which the legislative council was composed and elected, 5415-5422—Subsequently to 1849, Mr. Thorn did not act as recorder; but in 1852 he was appointed clerk of the court, and filled that office for two years, 5424, 5429-5435, 5440, 5441, 5500-5502, 5505—Strong public dissatisfaction with Mr. Thorn's judgments as recorder, 5425-5428, 5600-5604.

During Mr. Thorn's absence, subsequently to 1849, witness was sole administrator of justice (save that there was a jury), and adopted very much the plan used in military courts, 5437-5439, 5503, 5504—Particulars relative to the case of *Foss v. Pelly*; interference of Mr. Thorn therein; grounds for the conclusion that substantial justice was not done, 5442-5516—Reason why witness did not act as *bonâ fide* judge in the case, notwithstanding Mr. Thorn's presence, 5484-5496, 5500-5502.

*Caldwell, Lieutenant-Colonel William. (Analysis of his Evidence)—continued.*

Explanation as to witness having received information from London that he had jurisdiction in civil cases which, like that of *Foss v. Pelly*, involved damages of more than 200 l.; 5507-5516. 5591, 5592—Instances of trial at Red River of cases of a capital nature, 5517-5519—Previously to the investigations of the present Committee, witness was not aware that capital cases should be referred to the courts in Canada, 5520-5524.

Great improvement of the settlement whilst witness was there, 5525. 5527—Testimony to the exertions of the Bishop of Rupert's Land in the cause of education, 5525, 5526—Considerable excitement in the colony, more especially in 1849, on account of the company's monopoly of trade on the one hand, and, on the other hand, the attempts of the half-breeds to carry on an illicit trade, 5528-5552. 5593-5599.

The pensioners in charge of witness relieved the garrison at Red River, 5553-5555—It was found, on the arrival of the pensioners, that the Company had not sufficient cultivable land to give them, and so, to prevent dissatisfaction, they were compensated in sums of money, 5557-5563—Swampy character of the country about Red River, 5562, 5563—Capability of cultivation sufficient to support a considerable population, 5566.

The interests of the company, as monopolists in trade, are opposed to colonisation, 5568. 5631—For the last year or two the Company have been more stringent in their regulations about the sale of land, 5568. 5572—Nature of the demand for land, 5569-5571—Good social position of some of the half-breeds, 5573, 5574—Devoted character of the missionaries, 5575, 5576—Excellent effect of christianity and settlement upon the Indians, 5575-5583—Different localities for the Protestants and the Roman-catholics of the christianised Indians, 5581.

Objection raised by the Governor of Rupert's Land to the formation of an Indian settlement at the Rapids, 5585. 5587—Non-discouragement of Indian settlements in Assiniboia when witness was governor, 5586—Information relative to Peguis, chief of the Saultaux Indians, who has lately sent a petition to the House of Commons, 5589-5591—Price given by the Company to the Indians for pemmican, 5606, 5607—Witness knows nothing of the Company's fur tariff, but believes that, on account of the competition at Pembina, fair prices were given, 5608-5611—Since 1849 the illicit trade has been on the increase, 5611-5614.

There are thirty-three portages on the route from Fort York to Red River, 5621—Considerable expense of removing the obstructions to the navigation, 5622, 5623—Advantage if the occasional floods could be prevented by removing the obstructions and improving the outfalls, 5624-5630—With regard to the effect of the Company's rule upon the Indians, the monopoly tends to their preservation, 5631.

*Cameron, Mr.* Exception taken to the appointment of Mr. Cameron as chief judge in Vancouver's Island; he was not educated for the law; and is not qualified for his office, *Cooper* 3578, 3579. 3611-3632. 3664-3670—Salary of Mr. Cameron, *ib.* 3622, 3623.

Further evidence as to the appointment of Mr. Cameron; strong complaints made at the time against the appointment, *Cooper* 3843-3851.

#### CANADA:

1. *Representation of the Government of Canada before the Committee.*
2. *General Feeling in Canada relative to the Hudson's Bay Territory.*
3. *Investigation by a Select Committee of the Canadian Legislature.*
4. *Evidence in favour of the Annexation of certain Portions of the Hudson's Bay Territory to Canada, and of their Settlement and Administration by that Country.*
5. *Extent of Land in Canada available for Settlement.*
6. *Territorial Claim of Canada in regard to the Hudson's Bay Territory.*
7. *Boundaries of Canada as defined by the Act 14 Geo. 3, c. 83.*
8. *Proposed Reference of the Question of Boundary to the Judicial Committee of the Privy Council.*
9. *Objections to the proposed Administration by Canada of certain Portions of the Hudson's Bay Territory.*
10. *Views of the Committee in favour of Annexation, conditionally, to Canada.*

#### 1. *Representation of the Government of Canada before the Committee:*

Witness is Chief Justice of the Court of Common Pleas of Upper Canada, *Hon. W. H. Draper* 4038, 4039—Has been a continual resident in Canada since 1820, during which period he has filled the highest legal offices in Upper Canada, *ib.* 4039-4041—Has been instructed by the Government of Canada to watch the investigations being made by the Committee, and generally to press upon the Government of this country the rights and interests of Canada relative to the territories under the rule of the Hudson's Bay Company, *ib.* 4042-4053—Will obtain from Canada, and lay before the Committee, a copy of the minute in council, requesting his presence in this country on behalf of the interests of Canada, *ib.* 4225, 4226.

Witness has resided in different parts of Canada for the last sixteen years, *Roche* 4451, 4452—Is fourth clerk in the Provincial Secretary's department, *ib.* 4453-4455—

## CANADA—continued.

## 1. Representation of the Government of Canada before the Committee—continued.

Instructions from the Canadian Government under which witness has come to this country in connexion with the mission of Chief Justice Draper, *Roche* 4456, 4457—Authority and object of the colonial legislature in directing the inquiry referred to, *ib.* 4565.

Letter from E. A. Meredith to Chief Justice Draper, dated Secretary's Office, Toronto, 20th February 1857, relative to the steps to be taken by him in this country, as representing the interests of Canada, *App.* p. 436.

## 2. General Feeling in Canada relative to the Hudson's Bay Territory:

Feeling in Canada, that the control of the Hudson's Bay Company prevents the extension of settlement and civilisation, *Ross* 10—Within the last year a regular dissension has risen up in Canada, upon the question of opening up the territory, *ib.* 10. 16.

There was no desire in Canada ten years ago for the annexation of the Red River Colony, *Crofton* 3336-3338.

The affairs of the Hudson's Bay Company have of late attracted growing attention in Canada, *Hon. W. H. Draper* 4147, 4148—Adverse feeling of Canada towards the government of the Company, *Roche* 4472. 4509, 4510—General feeling throughout Canada that the territory belongs to that country, or should be annexed to it, *ib.* 4472-4496.

Belief that among the Canadian people generally there is not any great agitation against the exclusive rights of the Company, *Right Hon. E. Ellice* 6054, 6055—The expectation by certain parties of a participation in the fur trade, is at the bottom of the agitation in Canada, *ib.* 6055.

Reference by the Committee to the growing desire in Canada that means of extension and regular settlement should be afforded over a portion of the territory, *Rep.* p. iii.

## 3. Investigation by a Select Committee of the Canadian Legislature:

Circumstance of there being an official inquiry now going on in Canada in regard to the availability of the Hudson's Bay Territory for the formation of communications and settlements, *Hon. W. H. Draper* 4210-4214—Reference to the select committee now sitting in Canada for inquiry, among other things, into the validity of the Company's charter, *Roche* 4558-4561—The committee will soon make their report, *ib.*

Copy of the First Report of the Select Committee of the Canadian Parliament, comprising the evidence of Messrs. Gladman, Dawson, and M'Donell, *App.* p. 385-402.

Considerable weight attached by the Committee to the evidence laid before them, which was taken before a committee of the Legislative Assembly, *Rep.* p. iii.

## 4. Evidence in favour of the Annexation of certain Portions of the Hudson's Bay Territory to Canada, and of their Settlement and Administration by that Country:

Suggestion that so fast as the Canadian Government might wish to open up any part of the territory for settlement, they should give notice thereof to the Company, who should within a certain period surrender the territory indicated, *Ross* 11. 55-59—Illustration of the difficulty which would probably attend a system of settlement by the Canadian Government similar to the system under the ordinance of 1783, *ib.* 56-60—With proper means of communication the Canadian Government could extend its system of administration not only to the Red River, but to any other settlement that may be formed, *ib.* 63, 64. 124-126.

Practicability and advantage of vesting in the Canadian Government the administration of the Hudson's Bay Territories east of the Rocky Mountains; suggestions hereon, *Isbister* 2436 *et seq.* 2525 *et seq.*—Evidence in favour of annexing all Rupert's Land to the Government of Canada, *ib.* 2436 *et seq.* 2525 *et seq.*—A custom-house or a small garrison at Red River, would keep the whole country under control, *ib.* 2441-2445—Approval of gradual annexation to Canada, accordingly as any portion of the territory may be fit for settlement, *ib.* 2446—Great importance of aggregating the territory to Canada, with a view to the fur trade taking the route of Lake Winnipeg and Lake Superior, rather than the unnatural route of Hudson's Bay, *ib.* 2528-2549. 2629, 2630.

Enumeration of three points in which the inquiry before the Committee affects the interests of Canada, *Hon. W. H. Draper* 4055—Proposition that Canada should have a free right to explore and survey the Company's territories, in order to ascertain the capabilities of the country, *ib.* 4060. 4073—Also to open communication roads, by putting settlers on each side of them with free grants, *ib.* 4060—Also to lay out townships, and to incorporate them with the province as soon as they were settled, *ib.* 4060 *et seq.*—Also that the right of survey and settlement by Canada extend only to the Rocky Mountains, *ib.* 4060, 4061. 4104.

## CANADA—continued.

4. *Evidence in favour of Annexation of Portions of Territory, &c.*—continued.

Inability of Canada at the present moment efficiently to govern the vast extent of country east of the Rocky Mountains, *Hon. W. H. Draper* 4062, 4064—Surveys and communications must first be made, *ib.* 4062-4064—If there be an insuperable barrier to communication between Canada and the Red River, &c., an annexation of the latter to the former could not be contended for, *ib.* 4065, 4077.

Evidence in favour of the Red River Settlement, &c., being in time governed as an integral part of Canada rather than as a separate British colony, *Hon. W. H. Draper* 4065-4076—*Ad interim* form of government, which might be adopted at the Red River Settlement, until the representatives of the country could attend the Canadian legislature, *ib.* 4066, 4070-4072, 4169, 4170—Willingness of Canada to undertake the expense of survey and settlement, if allowed to annex the settled districts, *ib.* 4073, 4077.

Reference to a report by the Commissioner of Crown Lands in Canada, which has been presented to the provincial parliament, and which contemplates a settlement by Canada of the prairies of the Saskatchewan and Red River, *Roche* 4476-4484—Although Canada claims the territory up to the Pacific, their main object is a settlement of the country, more especially as far as the Rocky Mountains, *ib.* 4486-4497.

5. *Extent of Land in Canada available for Settlement :*

Greater advantages in cultivating the unsettled lands of Canada than the most favourable land in Hudson's Bay territory, *Leffroy* 190—Canada has now but little land between the three great lakes for disposal to settlers, *Hon. W. H. Draper* 4067, 4198—Immense area of land in the northern part of Canada which is still unsettled, though the more available land is speedily being absorbed, *ib.* 4196-4198—Disposal already of the greater part of the available land in the western parts of Canada; hence the desire to settle the prairie country of the Hudson's Bay territory, *Roche* 4484, 4485, 4498-4506.

6. *Territorial Claim of Canada in regard to the Hudson's Bay Territory :*

Circumstance of Canada having laid claim to the Hudson's Bay Territories; grounds on which founded, *Isbister* 2410, 2411, 2423, 2424.

With regard to the claim of the Hudson's Bay Company to the legal possession of all lands drained by any streams, no matter how remote their sources may be, which flow into the Hudson's Bay Straits or Hudson's Bay, witness disputes the validity of such claim, and delivers in a paper (*App. p.* 378-380) in support of his view of the subject, *Hon. W. H. Draper* 4056-4058—This paper comprises extracts from documents emanating from the Company themselves, and represents everything which may be considered as favourable to the Company, *ib.* 4056—Two definitions by act of the boundaries of Canada, *ib.* 4097, 4098—The Canadian Government claim the country up to the Pacific, *ib.* 4103.

Witness has been preparing evidence as to the title of Canada to the territory, but declines to lay the same before the committee, *Hon. W. H. Draper* 4120, 4121—Reference to a tract of land near to the American frontier, which, though not included in Rupert's Land, is under the administration of the company; Canada exercising no jurisdiction therein, *ib.* 4130-4133—The Mississippi River is the only western boundary given to Canada in documents emanating from the Crown, *ib.* 4133-4135.

Letter from Mr. Chief Justice Draper to the Secretary of State for the Colonies, dated 6 May 1857, and memorandum enclosed therein, relative to the claims put forth by the Government of Canada, *App. p.* 374-378.

Paper delivered in by Mr. Chief Justice Draper on 28 May 1857, relative to Canadian boundaries, *App. p.* 378-380.

Statements as made respectively by Messrs. M'Donell and Dawson before the select committee in Canada, relative to the boundaries of Canada and of the Hudson's Bay Territory, *App. p.* 386, 387, 395-399—Statement by Mr. Dawson that the districts of the Saskatchewan and Red River belong to Canada, *ib.* 395-399.

7. *Boundaries of Canada as defined by the Act 14 Geo 3, c. 83 :*

As regards the boundaries between the Hudson's Bay territory and Canada, the Act 14 Geo. 3, c. 83, clearly defines the limits of the latter, *Right Hon. E. Ellice* 5833, 5834.

8. *Proposed Reference of the Question of Boundary to the Judicial Committee of the Privy Council :*

Evidence in support of a suggestion made by witness in a letter to the Colonial Secretary on the 6th May, that the question of boundary between the province of Canada and the territory of the Hudson's Bay Company be referred to the Judicial Committee of the Privy Council, *Hon. W. H. Draper* 4107-4109, 4116-4124—Witness has express instructions to retain counsel to represent the province, and has, he conceives, a discretionary

## CANADA—continued.

8. *Proposed Reference of the Question of Boundary, &c.*—continued.

discretionary power to take the initiative before the Judicial Committee of Privy Council, but looks rather to the Crown to procure the reference and the decision, *Hon W. H. Draper* 4122-4124—Willingness of Canada to abide by the decision of the Committee of Privy Council, *ib.* 4176, 4177.

Opinion of the Attorney-general and Solicitor-general that the important question of the boundaries of the Hudson's Bay Territories might with great utility, as between the Company and Canada, be referred under certain conditions to a Committee of the Privy Council, *App. p.* 404.

Letter from the Right Hon. H. Labouchere to the chairman of the Hudson's Bay Company, dated 15 July 1857, enclosing a passage from a statement by the law officers of the Crown, with regard to a reference of the question of boundary to the Judicial Committee of the Privy Council, *App. p.* 404, 405.

Letter in reply, dated 18 July 1857, stating that the Directors of the Company are prepared to recommend to the shareholders the course suggested by the legal advisers of the Crown, *App. p.* 405, 406.

9. *Objections to the proposed Administration by Canada of certain Portions of the Hudson's Bay Territory:*

Obstacles to the administration or government by Canada of the Hudson's Bay Territories, *Sir J. Richardson* 2943-2945. 2956-2961—Anticipated interruption to the present peaceful state of the country if it were annexed to Canada, and the fur trade thrown open, *ib.* 2945. 2960, 2961—Provided means be taken to preserve order, and to prevent the abuse of spirituous liquors, there would be no objection to attach to Canada the Red River, or any other district available for settlement, *ib.* 2956-2961.

Great difficulties and expense which would attend the government by Canada of the Red River Territory, *Right Hon. E. Ellice* 5838-5845—Advantage of the country, including the Red River Settlement, being, at least for some time to come, governed by the Company rather than by Canada, *ib.* 5836-5841.

10. *Views of the Committee in favour of Annexation, conditionally, to Canada:*

The Committee consider that it is essential to meet the just and reasonable wishes of Canada, to be enabled to annex to her territory such portion of the land in her neighbourhood as may be available to her for the purposes of settlement, with which lands she is willing to open and maintain communications, and for which she will provide the means of local administration, *Rep. p.* iii, iv.

See also *Boundaries. Colonisation and Settlement. Fur Trade, 12, 13. Indians, 6. 8. Legislation. Red River Settlement, 3, 9, 10. Spirituous Liquors, 3. Vancouver, Mr.*

*Canadian Frontier.* The Hudson's Bay territory on the frontier of Canada is particularly ill-adapted for settlement, *Ross* 18; *Lefroy* 166.

*Canal Communication.* Question as to the advantages and practicability of canal communication between Lake Superior and Rainy Lake, *Sir J. Richardson* 3150-3158.

*Cannibalism.* See *Indians, 2.*

*Canoe Communication.* The route by Fort William to Lake Winnipeg is all canoe work; it has not been improved of late years, *Sir J. Richardson* 3953-3958—Great expense of canoe communication, *ib.* 3059, 3060.

See also *Navigation of the Lakes and Rivers.*

*Capital.* The capital stock of the Company now stands at half a million; particulars hereon, *Right Hon. E. Ellice* 5802. 5899-5902—In 1821 the capital of the united companies, that is of the North-west and Hudson's Bay Companies, was 400,000 £; how made up, *ib.* 5802. 5973-5976—The increase of 100,000 £ since the union of the companies was partly or entirely effected by the addition of undivided profits, *ib.* 5802. 5900-5902. 5977-5984—Besides the capital on which dividends are paid, the Company hold large deposits which they employ in the same way as bankers do, *ib.* 5899. 5989-5991—Witness considers that the Committee can have nothing to do with the details of capital or of profits of the Company, *ib.* 5899. 5956. 6004-6007.

Further evidence relative to the capital stock of the company, and the augmentations therein from time to time; witness cannot go into details hereon before his connexion with the company in 1821, *Right Hon. E. Ellice* 5961-5984—Propriety of the Company declining to supply a statement of the amount of stock standing in the names of the various shareholders; it is an unusual request on the part of the Committee, or one of its members, *ib.* 6004-6009.—Not much of the capital stock is now held in Canada, *ib.* 6047.



**Capital**—continued.

Particulars of the capital of the Company on 1 June 1856; total of 1,265,067 *l.* 19s. 4d. from all sources, *App.* p. 449.

Market prices of stock, ex dividend, in January and July in the years 1847-56, *App.* p. 449.—Of 268 proprietors in July 1856, 196 have purchased their stock at from 220 to 240 per cent., *ib.*

**Carriage of Goods.** Goods might be conveyed between Fort William and Red River for about 10*l.* a ton, *Kernaghan* 2138-2141.—See also *Freights*.

**Cattle.** Domestic cattle and horses are to be found at some of the Company's forts in the interior, *Lefroy* 361, 362.—Cattle can be fed in the country, and can live through the winter, *Corbett* 2730-2733.

**Census.** The Company have made attempts from time to time in former years to take a census, but the papers are not in this country, *Sir G. Simpson* 1474-1482.—The census or estimate of Colonel Lefroy was made in 1843, and that of Major Waugh in 1845, *ib.* 1484.—Reference to the census as made by the Company every five or six years, *Crofton* 3322-3325. 3431-3434.

**Chancellor.**—Circumstance of a person named Chancellor having come from California to Vancouver's Island to make inquiries about land, and having been unable to obtain the required information, *Blanshard* 5129-5131. 5172-5174.

**Charter of Incorporation.** The Company are incorporated under a charter, *Right Hon. E. Ellice* 5822.—Right of self-government given by the charter, *ib.* 5825.

Copy of the Royal Charter for incorporating the Hudson's Bay Company granted by his Majesty King Charles the Second in 1670, *App.* p. 408-414.—Crown grant to the company, dated 30th May 1838, of the exclusive trade with the Indians in certain parts of North America for a further term of twenty-one years, *ib.* 414-416.—Copies or extracts of the correspondence which took place at the last renewal of the charter between the Government and the Company, or of individuals on behalf of the Company; also, the dates of all former charters or grants to the Company, *ib.* 417-434.

Doubt as to how far the chartered rights claimed by the Company may prove an obstacle to the carrying out of the objects which the Committee think it desirable to attain, *Rep.* p. iv.

**Cherokee Indians.** Successful colonisation by Indians shown in the case of the Cherokees in the United States, *Rae* 666-669; *Right Rev. Dr. Anderson* 4399, 4400. 4418.

**Chicago.** Reference to Chicago as having a rapidly increasing population of about 110,000, *Kernaghan* 2189-2191.

**Chipewyan Indians.** Some Chipewyan Indians in the far north do not come into communication with the Europeans; *Lefroy* 340.—The Chipewyans and the more northern tribes are increasing, *King* 5677. 5683.—The Chipewyan races have always steadily refused to take spirits, *ib.* 5692-5694.

**Chippewas Indians.** The Chippewas in Minnesota are said to be increasing, *Roche* 4520.—The Chippewas were some years ago almost a settled people, and were independent of the fur trade, *King* 5677.

**Christianity.** From 8,000 to 10,000 Indians are more or less influenced by Christianity and Protestantism, *Right Rev. Dr. Anderson* 4248. 4256.—Exclusive of pure Europeans, there are not more than 14,000 or 16,000 Christians of all sects of Indian origin in Rupert's Land, *ib.* 4282-4290.

Excellent effect of Christianity and settlement upon the Indians, *Caldwell* 5577-5583.—Different localities for the Protestants and Roman Catholics of the christianised Indians, *ib.* 5581.

**Church Missionary Society.** Eleven English clergymen in the Company's territories besides witness, and three native clergymen, are provided and paid by the Church Missionary Society, *Right Rev. Dr. Anderson* 4236. 4249.—Considerable amount of good effected by the operations of the Church Missionary Society, both in a social and a religious point of view, *ib.* 4247. 4248. 4251. 4255. 4256. 4262-4273. 4296-4299.—Statement delivered in, dated Church Missionary House, 4 June 1857, respecting the operation of the society in North-west America, *ib.* 4249.—Statistics as to the stations, the missionaries and assistants, the communicants and the scholars, *ib.*—Comparative expenditure of the society during each of the ten years from 1847-48 to 1856-57, *ib.*—In 1847-48 the expenditure was 1,910*l.*; and in 1856-57, 5,672*l.*, *ib.*

See also *Missionaries and Missionary Settlements*.

Report, 1857—continued.

**Churches.** The company are building a church at Moose and another at York, *Right Rev. Dr. Anderson* 4343, 4344

See also *Grand Rapids District*.

**Civil Law and Jurisdiction.** See *Administration of Justice*. *Foss v. Pelly*. *Jurisdiction*.

**Civilization.** See *Christianity*. *Church Missionary Society*. *Colonisation and Settlement*. *Education*. *Indians, 3*. *Missionaries and Missionary Societies*. *Religious Instruction*.

**Climate.** Uncertainty and intensity of the climate adverted to, as being very unfavourable to agricultural cultivation, *Lefroy* 167. 182-189. 221. 253. 265-302 — There has not been, and there is not likely to be, any amelioration of the climate in the Company's territories, or in Canada, in consequence of settlement and improved cultivation, *ib.* 189. 220-228. 240-242 — Reference to parts of the territory as being permanently frozen under-ground, and as, thus rendering the production of cereals exceedingly uncertain, *ib.* 274-281 — Milder character of the climate according as the country is nearer to the Pacific, *ib.* 249. 265-273 — Length of the winter at St. Petersburg adverted to in comparison with the winter in parts of the Hudson's Bay territories, *ib.* 259-264.

Effect of the constant ice in Hudson's Bay in preventing any mitigation of the climate by clearance of the woody country, *Rae* 395 — Difference between the climate of the Orkneys and of York on Hudson's Bay, *ib.* 434-438 — Length of the winter in the district south of Lake Winnipeg, *ib.* 439-443 — Less rigorous character of the climate in the lands to the west as well as to the south, *Sir G. Simpson* 743-746 — Doubt as to climate being mitigated by settlement and cultivation, *ib.* 757-759. 828-831.

Remarks on the circumstance of the subsoil being permanently frozen in the more northern parts of the territory; if the thaw be sufficiently deep, the frozen subsoil by no means prevents agriculture or vegetation, *Isbister* 2640-2649.

Almost everywhere north of fifty-seven degrees of latitude a portion of the ground is permanently frozen, *Sir J. Richardson* 2921, 2922 — The temperature is milder on the west than on the east of the Rocky Mountains, but is less mild than the temperature of Europe in similar latitudes, *ib.* 2922. 2928-2933 — Greater depth of frost according as the timber is cleared and the country becomes open, *ib.* 2923-2925 — At Fort Franklin and the Great Bear Lake the winter may be said to last for ten months, *ib.* 2926, 2927 — Throughout a great part of the country the trees are frozen to the heart, *ib.* 2934-2935 — Permanent ice in some of the lakes, *ib.* 3089 — Improvement of the climate if the marshes and swamps were drained, *ib.* 3090, 3091.

During witness's expeditions the winter months were spent in making scientific observations and procuring food, travelling then being impracticable, *Sir George Back* 3462, 3463. 3470. 3489-3492 — Evidence as to the coldness of the climate at Fort Reliance and other of the more northern points, *ib.* 3471-3477. 3499-3501. 3531-3535. 3540-3548.

Superiority of the climate west of the Rocky Mountains as compared with that east of the mountains, *Cooper* 3924-3926 — Rigour of the climate and failure of the crops in Lower Canada as well as in the Hudson's Bay territory, *Hon. W. H. Draper* 4201, 4202 — The country has not been sufficiently cleared to produce any amelioration of climate, *Right Rev. Dr. Anderson* 4321-4325.

Passages in statements laid before the Select Committee in Canada, relative to the climate of different parts of the territory, *App. p.* 390, 391. 400, 401.

See also *Colonisation and Settlement*, 1, 2. *Red River Settlement*, 5. *Saskatchewan River*. *Summer Frosts*. *Vancouver's Island*, 13.

**Coal.** Circumstance of there being a bed of workable coal near Edmonton, one of the more eastern forts, *Lefroy* 255-257 — With regard to the coal on the Saskatchewan, &c., it is a tertiary coal, and of very tolerable quality, *Isbister* 2652-2654 — Large and available supply of coals towards the source of Assiniboine River, *Corbett* 2715-2718 — Inferior character of the coal on the Saskatchewan and Mackenzie, *Sir J. Richardson* 2915, 2916. 3114-3119 — On Parry's Islands, &c. there are some secondary coal formations, *ib.* 3119-3121.

See also *Vancouver's Island*, 14.

**Cochrane, Archdeacon.** Reference to a letter from the Rev. Mr. Taylor, agent of the Propagation Society, to witness, in which he speaks of an attempt by the Company to remove Archdeacon Cochrane from Portage-la-Prairie, *Corbett* 2687-2691.

Report, 1857—continued.

## COLONISATION AND SETTLEMENT:

1. *Unfitness generally of the Territory for Settlement or Cultivation.*
2. *Evidence to a contrary Purport.*
3. *Incompatibility of Colonisation with Monopoly in Trade.*
4. *Course recommended as regards the Land fit for Settlement.*
5. *Expediency of Settlement North of the American Frontier.*
6. *Willingness of the Company to give up any Land required for Settlement.*
7. *Conditions, as regards Colonisation, in the License of 1838.*
8. *Recommendations of the Committee with a view to the Advancement of Colonisation.*

1. *Unfitness generally of the Territory for Settlement or Cultivation:*

The country generally from Lake Superior to the Red River is not adapted for settlement, being broken and intersected by swamps to a very great extent, *Ross* 12. 147—There is not any part of the territory on the frontier of Canada which is likely to be occupied, *Ross* 18; *Lefroy* 166—Improbability of colonists locating themselves at any great distance west of Canada in preference to fixing on attainable points nearer the settled parts of Canada and the great lines of communication, *Ross* 75-88. 104-123—Impression in Canada that the more northern part of the territory, which is best suited to the fur trade, is the best adapted for settlement, *ib.* 102.

Witness considers that agricultural settlement can make but little progress in the territory, *Lefroy* 163 *et seq.*—Absence of any pressure from Canada or the United States to settle in the Company's territory, *ib.* 191-193—The trees found on portions of the territory do not prove that such portions are fitted for agricultural purposes, *ib.* 213-219—Enumeration of the points where cultivation is more especially carried on, *ib.* 246—Slight inducement to emigrants to settle at the Red River, &c., *ib.* 312.

The more northern portion of the territory is not capable of agricultural cultivation, save as regards barley, *Rae* 376, 377. 391—Belief that a self-supporting colony could not at present exist at Rainy Lake or other more favourable districts, *ib.* 573-576—Character of the country north of Lake Superior, and between Fort William and Red River; it is very ill adapted for settlement, and is almost impracticable for travelling, *ib.* 577-601. 604. 608-617. 624-631.

Witness does not consider that any part of the territory is well calculated for settlement, *Sir G. Simpson* 716 *et seq.*—Uncertainty of the crops throughout the whole of Rupert's Land and at the Red River settlement, *ib.* 716-723. 727. 802-810—Natural obstacles to the support of a colony embracing the Red River settlement, and extending to Lake Winnipeg and Cumberland House, &c., *ib.* 1420-1431—Opinion that north of forty-nine degrees there is no land suitable for a colony of any extent, *ib.* 2059 *et seq.*

General description of the country, to the effect that, save in a few places, and to a slight extent, it is not capable of cultivation, or fit for settlement, *Sir J. Richardson* 2898 *et seq.*—Division of the country east of the Rocky Mountains into three districts, all more or less unfit for cultivation, *ib.* 2899-2093—The north-eastern portion of the continent does not contain any wood, and will not produce grain under any circumstances, *ib.* 2901—Until the settlement of Canada has advanced to the Red River, and roads have been opened, it is very unlikely that any settlement will take place beyond the Red River, *ib.* 2902. 3033.

The greater part of the country on the north shore of Lake Superior is rocky and entirely destitute of soil, *Sir J. Richardson* 2904-2906—Between the west-end of Lake Superior and Lake Winnipeg, after passing Dog Lake, the land has no particular capabilities for settlement, *ib.* 2907, 2908—Large district along the north side of Lake Superior and between it and Red River, which must be occupied before settlers will flock to Red River, *ib.* 3033-3041—Increasing and populous American settlement on Lakes Huron and Michigan, and throughout Illinois, adverted to as mainly resulting from steam boat and railroad communication, *ib.* 3060-3072—Slight alluvial deposit left by the floods, *ib.* 3086-3088.

Isolated character of the plain east of the Rocky Mountains, which prevents its being colonised; Oregon, Minnesota, and Utah adverted to hereon, *Crofton* 3274-3283—Very slow progress of settlement and civilisation in the Company's territory; doubt whether it has increased at all for many years, *Right Hon. E. Ellice* 5821.

2. *Evidence to a contrary Purport:*

If proper facilities were given by the Hudson's Bay Company the Red River and other districts would be settled from the American territory, *Kernaghan* 2227-2231. 2237-2246—Considerable settlement going on upon the American mainland opposite Vancouver's Island, *Hon. C. W. W. Fitzwilliam, M.P.* 2262-2264. 2363-2365—Cultivable character of the islands between Vancouver's Island and the mainland, *ib.* 2341-2346.

Anticipated settlement by the Canadians of the district between Lake Superior and Winnipeg, if proper facilities be given, *Isbister* 2408, 2409. 2625-2632—With regard to

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## 2. Evidence to a contrary Purport—continued.

to the climate, barley, oats, and potatoes may be raised, as far north as Fort Norman, and wheat as far north as the Saskatchewan, *Isbister* 2562-2572. 2647-2649—A very large state might be formed and settled south of the Great Bear Lake, *ib.* 2566-2570—Practicability of agriculture wherever the limestone secondary formation occurs as between the great lakes and the Rocky Mountains, *ib.* 2639. 2654, 2655.

Belief as to the fitness of a great portion of the country for settlement, *Hon. W. H. Draper* 4128—Possibility of agriculture and settlement along the more southern parallels of the territory; particular points adverted to hereon, *Right Rev. Dr. Anderson* 4294. 4305 *et seq.* 4356 *et seq.*—Any settlement from Canada must advance naturally and very gradually, *M<sup>r</sup> Laughlin* 5089.

Witness travelled through the Hudson's Bay territory from 1833 to 1836, as surgeon and naturalist to the expedition in search of Sir John Ross, *King* 5633-5636—Route taken by the expedition; it started from Montreal and reached the sea at the estuary of the Great Fish River, and returned by the English River to York Factory, *ib.* 5638-5640—Information relative to the enormous tract of country, bounded on the north by the Athabasca Lake, and on the south by Cumberland House, which, as regards both soil and climate, is peculiarly adapted for cultivation, *ib.* 5641 *et seq.*—Witness did not travel through the Saskatchewan or Red River districts, but believes they are much less cultivable than the more northern tract south of the Athabasca Lake, *ib.* 5666-5672—The district in question is equal to Canada in its fitness for colonisation, *ib.* 5675.

Passages, in statements laid before the Select Committee in Canada, relative to the fitness of various portions of the territory for settlement and colonisation, *App.* p. 389 *et seq.*—Passages, in statements laid before the Select Committee in Canada, relative to the soil in different parts of the territory, and its fitness for cultivation, *ib.* 389-394. 400-402.

## 3. Incompatibility of Colonisation with Monopoly in Trade:

Probability of the Company's interest being opposed to a system of settlement, *Rae* 648-654—But for the Hudson's Bay Company there is no reason why there should not be on the British shore of Lake Superior a similar settlement to that of the Town of Superior on the American shore of the lake, *Kernaghan* 2143-2145—Facilities for mining operations and settlement on the American side of Lake Superior; there being no such facilities in the British territory, *ib.* 2217-2221. 2224-2227—Unless the fur trade is thrown open there will not be sufficient inducement to settlers to emigrate, *Isbister* 2450; *Sir J. Richardson* 3129. 3133—Settlement at the Red River, &c. need not interfere with the trade; the Indians there might be removed further north, *Sir J. Richardson* 3132-3134. 3144-3148—Extensive settlement would probably injure the fur trade, and would require a strong Government to preserve tranquillity, *ib.* 3142, 3143.

Incompatibility of a powerful Company attempting to colonize, *Cooper* 3662—Probability of the administration of the Hudson's Bay Company having prevented settlement from Canada, *Hon. W. H. Draper* 4068; 4069—The non-settlement of the territories goes to prove that settlement is not compatible with the interest of the Company, *ib.* 4126, 4127—Expense to the Company in supporting settlements like that at Red River, *ib.* 4178, 4179.

Witness does not consider the government of the Company favourable to settlement, *Right Rev. Dr. Anderson* 4293-4295. 4349-4355—The Company oppose settlement as increasing the local expenses of Red River colony, *ib.* 4350-4353. 4432-4440—Though an increase of population would cause increased expense of government, it would also increase the means of government, *ib.* 4434-4440.

Feeling in Canada that the monopoly of the Company is a bar to settlement, *Roche* 4509, 4510—The interests of the Company in Vancouver's Island were opposed to colonisation, *Blanshard* 5196, 5197—The interests of the Company, as monopolists in trade, are opposed to colonisation, *Caldwell* 5568. 5531—The Company had not in the slightest degree developed the resources of the country when witness was there in 1833-36, *King* 5699.

A fur company can have very little to do with colonisation, *Right Hon. E. Ellice* 5931—The Company cannot undertake to sink capital in colonising impracticable localities; they have spent large sums where settlement was desirable, *ib.* 5931-5934—It does not follow that the maintenance of the trade in British North America should be incompatible with colonisation; the trade would only be driven further north, where the best furs are found, *ib.* 5941-5949.

## 4. Course recommended as regards the Land fit for Settlement:

Necessity of the Company relinquishing their hunting rights over any part of the territory which may be required for settling or for the railway, *Ross* 47-54—Advantage if some arrangement could be made whereby the Company should give up the lands capable

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4. *Course recommended as regards the Land fit for Settlement*—continued.

capable of cultivation and retain the hunting grounds and the districts fit for nothing but the fur trade, *Rae* 385-387. 648.

The most valuable portion of the territory for settlement lies in a parallel of latitude south of Norway House, and witness proposes a boundary line accordingly, *Hon. W. H. Draper* 4090-4096—This line was proposed by the Company themselves in 1750, *ib.* 4092. 4096.

Proposition that a line be drawn from the Norway House, along the southern branch of the Saskatchewan to the Rocky Mountains, and that the territory south of this line be open to trade and colonisation, *M. Laughlin* 4933-4936. 4961-4964—The Hudson's Bay Company should still exercise jurisdiction in the territory north of the proposed line, but should not have an exclusive right to the fur trade, *ib.* 4937-4948—The proposed colony might easily be governed from the Red River, *ib.* 5088.

5. *Expediency of Settlement North of the American Frontier:*

Measures to be apprehended on the part of the United States unless the territory north of the frontier is settled and conveyed to the Canadian Government, *Isbister* 2449. 2633-2638—Strong feeling in Canada, in which witness joins, that unless something be done to settle and colonise the country on the American frontier it will cease to be British territory, *Hon. W. F. Draper* 4062, 4063. 4088. 4129. 4220—Witness is not aware of any actual encroachments by American citizens across the boundary, *ib.* 4136—Interest of the Company to prevent American inroads over the frontier, *ib.* 4183-4186.

Expediency of opening up the communication between Canada and Red River, and settling the frontier country from Lake Superior to the Rocky Mountains, *Right Rev. Dr. Anderson* 4356, 4357. 4370-4380. 4414—Unless the country to the south be placed under the British Government, it will soon be squatted over by Americans, *M. Laughlin* 5096.

Great difficulties and expense in the way of formation of a British colony towards the American frontier as a protection against American encroachments, *Right Hon. E. Ellice* 5842-5847. 6032-6046—Improbability for very many years to come of any foreign settlement in the southern portion of the Hudson's Bay territory, *ib.* 6028, 6029—In the event of forcible encroachment the Company would naturally apply for help to the Government of this country, *ib.* 6028.

6. *Willingness of the Company to give up any Land required for Settlement:*

The Company would not object generally to the formation of new settlements, *Sir G. Simpson* 1283, 1284—Non-objection to a settlement and distinct administration of any cultivable part of the Company's territories, provided interference with the fur trade be interdicted, *ib.* 1635-1644. 1666-1674. 1847, 1848.

Propriety of the Company giving up to Canada any land required for settlement; willingness of the Company to do so, *Right Hon. E. Ellice* 5834, 5835. 5839. 5933—Whenever colonisation is practicable or desirable, the rights of the Company should not interfere, *ib.* 5850. 5860-5864. 5867. 5906, 5907. 5933.

Statement by the Governor of the Hudson's Bay Company as to the willingness of the Company to cede any lands required for cultivation and settlement, *App. p.* 405.

7. *Conditions, as regards Colonisation, in the License of 1838:*

Several conditions relative to the erection of colonies, as agreed to by the Company, on the receipt of the license of 1838, *App. p.* 430-434.

8. *Recommendation of the Committee with a view to the Advancement of Colonisation:*

The Committee consider that it is essential to meet the just and reasonable wishes of Canada to annex to her territory such portions of the neighbouring country as are available for purposes of settlement, *Rep. p.* iii, iv.

Means should also be taken for the ultimate extension of colonisation over any portion of the continent, to the west of the Rocky Mountains, on which permanent settlement may be found practicable, *Rep. p.* iv.

See also *Alexander Fort. Athabasca Lake. Barley. Canada. Canadian Frontier. Cattle. Climate. Coal. Conveyance of Land. Cumberland House. Duties on Imports. Edmonton. Emigration. Floods. Fraser River. Free Grants of Land. Fuel. Fur Trade, 13, 14. Government by the Company, 2. Indians, 3. Liard River. Mackenzie River. Manitoba. Military Force. Minnesota. Norway House. Oregon. Ottawa River. Peace River. Pembina. Portisla Prairie. Price of Land. Rainy Lake. Red River Settlement. Saguenay River. Saskatchewan River. Simpson Fort. Thompson's River. United States. Vancouver's Island. Western Coast. Wheat. Williams, Governor.*

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**Colwill Fort.** Cultivable character of the land at Fort Colwill; less favourable climate of the British territory north of the Fort, and east of the mountains, *Sir G. Simpson* 2097-2113.

**Communication, Means of.** See *Canada*, 4. **Canal Communication.** *Canoe Communication.* *Grand Trunk Railway of Canada.* *Navigation of the Lakes and Rivers.* *Postal Communication.* *Railway Communication.* *Red River Settlement*, 3. *Roads.* *Superior Lake.*

**Compensation.** Considerations as to the propriety of compensation to the Company and the Indians in the event of settlements being formed, *Ross* 57-66—Claim of the Company for compensation for their outlay in Vancouver's Island, *Right Hon. E. Ellice* 5864. 5873-5880—On the west side of the Rocky Mountains the Company have no claim, except for outlay, *ib.* 5864. 5867, 5868.

Statement by the Governor of the Company as to the propriety of compensation in the event of the abolition of the monopoly in trade, *App.* 405, 406.

**Competition in Trade.** See *Fur Trade.* *Indians*, 7. *Licence for Trade.* *North-west Company.* *Spirituous Liquors*, 6.

**Conveyance of Land.** Copy of the land deed by which the Company convey land to settlers, *Sir G. Simpson* 1448, and *App. p.* 361, 362—Titles are not given unless payment is made for the land, and a grant made by deed, *Sir G. Simpson* 1819, 1830-1832—The condition in conveying land that the lessee shall not sublet or sell any portion of it is not enforced, and does not retard settlement, *ib.* 1833-1846.

Further reference to the form of deed of conveyance of land at Red River, &c. to the effect that it is practically obsolete as regards any restriction upon settlement, *Sir G. Simpson*, 1860-1870—Nineteen-twentieths of the people settle without applying for a deed or title, *ib.* 1861. 1870-1874.

Doubt as to there being any impediments to the purchase or transfer of land under the Company, *Isbister* 2513-2518—Peculiar and unavailable character of the land deeds issued by the Company, *M. Laughlin* 4766. 4882-4887—For the last year or two the Company have been more stringent in their regulations about the sale of land at Red River, *Caldwell* 5568. 5572.

Copy of deed of land granted to Joseph Monkman, dated 12th March 1844, *App. p.* 371-373.

Copy of agreement, dated 13th March 1844, between the Governor of Assiniboine and John Slater, for the lease of certain land to the latter for a term of 1,000 years, *App. p.* 439-441.

**Cooper, James.** (Analysis of his Evidence.)—Has been a resident and colonist in Vancouver's Island for the last six years, 3558-3561—Was a member of Council there for five years, 3563—Is not now in any way connected with the Hudson's Bay Company, 3564—Had a farm of about 300 acres, which he bought from the Company, in the Metchoen district, 3567-3572.

The climate of the island is superior to that of Great Britain, 3572—The land is partially wood and partially open with prairie, and is capable of cultivation to a considerable extent, 3572. 3608, 3609. 3706-3719—The population has decreased within the last six years, 3573—If the country were directly under the British Government, instead of under the Hudson's Bay Company, immigration and colonisation would soon follow, 3574-3577. 3605. 3744-3747. 3799-3801.

Want of confidence of the people in the courts of justice, 3578. 3610. 3935—Exception taken especially to the appointment of Mr. Cameron as chief judge; he was not educated for the law, and is not qualified for his office, 3578, 3579. 3611-3632. 3664-3670—Bar to an export trade from the island on account of the heavy differential duties, 3580-3588—Excellent and abundant supply of coal in the island; obstacles to its export, 3583-3588—Extensive fisheries in and around the island, 3589. 3590—Exclusive right of the Company to the fisheries in Fraser's River, 3590. 3740. 3741.

There are from 8,000 to 10,000 natives, 3591—Probability of the Indians becoming troublesome or rebellious, though hitherto peace has been kept, 3592-3597. 3636. 3658—Instances of Indians having been apprehended through the instrumentality of the Queen's ships of war, and punished for their offences, 3596. 3598. 3645-3658—There is no military force in the island, and only one constable; inexpediency thereof, 3597. 3634-3644. 3658-3663.

Very few persons in the island eligible as members of the Legislative Assembly; nature of the qualification, 3599-3604—On the mainland, opposite Vancouver's Island, there is a beautiful tract of country, called Thompson's River, which should be included with the island as a colony and for purposes of settlement, 3606-3608. 3734—Salary of Mr. Cameron, 3622, 3623—Injudicious conduct of the Government, inasmuch as Indians who have committed offences are frequently not punished, and are even bribed with blankets, &c., in order to prevent any breach of the peace, 3633-3644. 3658-3660—Sum

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Cooper, James. (Analysis of his Evidence)—continued.

—Sum and substance of the complaints of the colonists, 3662 — Salary of the constable at Red River, 3671.

Statement as to the licence to sell spirits costing 120 l. in each case, 3672-3678, 3690, 3691 — After the licence is taken out there is no material restriction save as regards the Indians 3679-3687 — Licences are only required in the case of spirits, 3688, 3689 — With respect to the soil of the country, it is peculiarly well adapted to the production of corn and vegetables, 3696-3719 — Nature of the timber on the island, and on the mainland north of the American territory, 3720-3733.

Evidence, showing how far it can be said that the Company offer impediments to colonisation, 3735-3747. 3799-3814 — Queen Charlotte's Island is less suitable than Vancouver's Island for settlement, 3749-3752 — Further reference to the large and excellent coal mines in Vancouver's Island; the monopoly of the Company, and the heavy American duty, are a bar to their development, 3753-3761.

Employment of Indians on the coal mines and farms, 3761-3763 — Payment of the Indians in trade goods; they not generally understanding the value of money, 3764-3767 — There is but one Protestant clergyman, the colonial chaplain, and no attempts are made, save by Roman-catholic priests, to christianise or educate the Indians, 3768-3793. 4001-4013 — There are some schools for Europeans and two Protestant schoolmasters in the island, 3788, 3789. 3794. 4002-4004.

The price of land is 1 l. per acre, except at Victoria, where it is much higher, 3795-3798 — Respect in which the Company may be said to monopolise trade and to deter individuals from competition, 3802-3815 — Inconvenience through the want of money, and of a system of exchange with England, 3811-3814. 3824-3828 — Non-advantage of the island to the Company, 3816, 3817. 3829 — Few furs procured, 3816. 3973, 3974.

There are several small streams in the island, and the valleys are very fertile, 3818-3821 — Rain falls as abundantly as in England, 3822, 3823 — The coal mine worked by the Company, lies close to the shore, 3831-3834 — The Company do not directly impose restrictions or duties upon trade, 3835-3842 — Further evidence as to the appointment of Mr. Cameron; strong complaints made at the time against the appointment, 3843-3851 — Cases involving much property rarely come before the judge, 3852-3854.

The meetings of the Council are regulated by the Governor, 3858 — There are four houses paying for licences, 3859, 3860 — Expenditure of the colonial fund, that is, the money derived from licences and from land, in making roads, &c., 3861-3870. 4018, 4019 — About 10,000 or 12,000 acres have been sold, 3863, 3864 — Witness held about sixty acres, 3871 — The Company offer the only market for the settlers' produce, and they sometimes refuse to take it, as in witness's own case, 3872-3877 — Great advantage if the import duty of 20 per cent. at San Francisco were abolished; this duty is not in any way connected with the rule of the Company, 3878, 3879. 3936-3940.

Further reference to the fisheries and to the exclusive right of the Company to Fraser's River, 3880-3884 — Difficulties of the colonists through want of freightage for their exports, 3885-3895 — Export by the colonists of fish to the Sandwich Islands, 3896-3901 — With regard to the district of Thompson's River on the mainland; witness further speaks of its peculiar fitness for colonisation, 3902-3905. 3914-3923 — Statement as to gold having been found near Fort Colville and Thompson's River, 3914, 3915. 3947-3965 — Fitness of part of Fraser's River district for cultivation, 3906-3913 — Superiority of the climate west of the Rocky Mountains as compared with that east of the mountains, 3924-3926.

Complaint that the charge of 1 l. per acre for land is much too high, 3927, 3928. 3931 — Advantage of American settlers on the mainland over the settlers on the island, 3929, 3930 — Advantage of the latter in being free from import duties, 3932-3934 — Further statement that the rule of the Company does, of itself, prevent immigration and settlement, 3935. 3941-3943 — Obstacles, but for which whalers would resort to the island, 3942-3946. 3986-3990.

Some of the land is mountainous, and not cultivable, 3968-3970 — The settlements are all near Victoria, 3971, 3972 — Evidence as to the mode of payment of the Company's servants; complaint hereon, 3975-3985 — Nature of the communication with San Francisco; probability of settlement from that quarter, 3991-3994 — Regulations in regard to the sale of land, 3995-4000. 4014-4019 — Reference to the large tract of land taken up by the coal company at Nanaimo, 4014-4017 — Exception taken to the expenditure of 1,000 l. on a bridge across Victoria Harbour, 4020-4037.

Cooper, Mr. Mention of Mr. Cooper as the only independent settler and trader in Vancouver's Island, when witness was there in 1853, Hon. C. W. W. Fitzwilliam, M.P., 2369-2371. 2382. 2386, 2387 — Witness delivers in a letter received by him from Mr. Cooper in 1853, complaining that Mr. Douglas, the governor of the island, had forced

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two men to join an exploring expedition notwithstanding that they were engaged to perform certain work for him (Mr. Cooper), *Hon. C. W. W. Fitzwilliam, M.P.* 2390.

Ample opportunities of Mr. Cooper for acquiring information upon the state of the island and upon its administration, *Blunshard* 5275, 5276.

*Copper.* With respect to the copper mines on Lake Superior, they do not pay for working, *Rae* 602, 603. 618-623—There is a large copper district on each side of the Coppermine River, *Sir J. Richardson* 3110-3113—There are very valuable copper mines on the Coppermine River, *Roche* 4465, 4466—Reference to a specimen of pure copper brought to this country from the Coppermine River, *Tennant* 5754, 5755.

*Coppermine Indians.* Inaccuracy of a statement as to the Coppermine Indians having decreased in consequence of indulgence in spirituous liquors obtained from the Company, *Sir G. Simpson* 1049-1052.

*Corbett, The Rev. Griffith Owen.* (Analysis of his Evidence.)—Was for about three years (1852-55) in charge of the Grand Rapids district, the largest settlement on the Red River, 2656-2661—Acted as a missionary of the Colonial Church and School Society, and did not receive any payment from the Hudson's Bay Company, 2662-2665—Statement as to the Company having for several years prohibited the formation of a missionary station and settlement at Portage-la-Prairie on the Assiniboine River, 2666-2680—Pressure under which the Company have recently stopped their opposition to a missionary station at Portage-la-Prairie, 2680, 2681.

Measures, equivalent to a prohibition, taken by the Company with reference to the missionary station at Headingly on the Assiniboine River, 2682-2686—Reference to a letter from the Rev. Mr. Taylor, agent of the Propagation Society, to witness, in which he speaks of an attempt by Sir G. Simpson to remove Archdeacon Cochrane from Portage-la-Prairie, 2687-2691—Restriction placed upon the proceedings of the missionary at Fort Alexander, 2692, 2693.

Circumstance of agents of the Company having more than once stated that if missionaries and missionary settlements increase, factors and fur-trading posts must decrease, 2694-2703—Statement as to Sir G. Simpson having endeavoured to intimidate Archdeacon Cochrane and others from building the church at the Grand Rapids district, 2704-2709—Archdeacon Cochrane is now at Red River, 2710, 2711.

The country about Red River is very suitable for agriculture and settlement, 2712-2736—Large and available supply of coal towards the source of the Assiniboine River, 2715-2718—There is a fair quantity of timber about Red River, 2726-2728—Cattle can be fed in the country, and can live through the winter, 2730-2733—Floods are of rare occurrence, 2734-2736.

Circumstance of the Red River settlers necessarily drawing their supplies from St. Paul's, in consequence of there being no proper communication by York Factory or Lake Superior, &c. 2737-2742—Practicability of improving the route from Red River to York Factory, 2740. 2742-2746—The difficulties in the route between Red River and Lake Superior are by no means insurmountable, 2746—Reference to a letter from Mr. Taylor to witness, dated September 1855, with regard to the uncertainty of the arrival of necessary supplies for the settlers and Indians, 2747-2750.

Fixed tariff of charges on some of, but not all, the articles supplied by the Company, 2751-2754. 2771, 2772—Particulars as to the Company having recently attempted to impose a duty of 10 or 20 per cent. on goods imported from the States, ostensibly for the improvement of the roads; resolution of the settlers not to pay this duty, 2755-2770. 2773-2783—Goods supplied by the Company are paid for half-yearly by bills of exchange; per centage charged by the Company on these bills, 2784-2790—Origin of the monthly mail communication between Red River and Pembina, 2791.

There is an American settlement at Pembina, and a small garrison and fur post, 2792-2798—Pembina is very near the boundary line, 2799, 2800—There is every facility for settlement on the American side of the frontier, 2801—Witness found some Americans at Otter-tail Lake, about 150 miles north of St. Paul's, 2801-2804—Circumstance of Mr. Dolt, a stationer and bookseller at St. Paul's, having removed thither from Red River, in consequence of the inconveniences and discouragements met with at the latter place, 2805-2810—Feeling of the settlers that they should have a representative Government, 2809, 2810.

[Second Examination.] Witness has travelled for upwards of 1,000 miles in company with the American fur traders, and never saw any spirits among them, 2811-2818—He has heard Mr. N. W. Kitson, the representative for the Minnesota territory, express himself very strongly against the Hudson's Bay Company's traders with regard to the use of spirits among the Indians, 2818-2823—Mr. Kitson is interested in the fur company on the American frontier, but does not trade at Red River, 2824-2835.



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*Corbett, The Rev. Griffith Owen.* (Analysis of his Evidence)—continued.

Instances of intoxication among the Indians at Fort Garry, the spirits having in all probability been procured from the Company's traders, 2836-2847—There is a school in witness's district, but for several reasons it is not well attended, 2848-2853—Numerous streams running into the Red River with timber on the banks, 2854-2863—There is a good deal of timber all the way up to Portage-la-Prairie, on the Assiniboine River, 2864-2870.

Frequent fires on the prairies adverted to in connexion with the fitness of the land for settlement, 2869. 2871-2874—Further evidence relative to the postal communication to and from the Red River, 2875-2879—Statement as to the settlers having complained that their letters are opened and inspected by the Company's officials; belief in the truth of this complaint, 2880-2888.

*Council (Red River, &c.)* See *Government by the Company.*

*Cranberries.* Suggested importation of cranberries from Hudson's Bay instead of from Russia, *Isbister* 6090.

Passage in the statement of Mr. Allen M'Donell before the Select Committee in Canada relative to the prohibition by the Company of trade in cranberries, *App.* p. 389.

*Crees Indians.* The Crees in the lower parts of the Saskatchewan are very different from those on the upper part, and are more easily civilised, *Sir J. Richardson* 2980-2983—The Crees and the more southern tribes coming into contact with the Hudson's Bay Company, are decreasing in number, *King* 5677, 5678. 5683-5687.

*Crime.* There is very little crime among the whites, *Lefroy* 314—Very little crime in the Company's territories generally, *Sir G. Simpson* 1014. 1388-1405—The gaois are almost always empty, *ib.* 1158—Crimes were very rare at Red River in 1847, *Crofton* 3230. 3329. 3330.

*Criminal Jurisdiction.* See *Administration of Justice.* *Jurisdiction.*

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*Distillery, Red-River.* The Hudson's Bay Company erected a distillery at Red River, but have never worked it, *Sir G. Simpson* 1745, 1746.

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Bay territory for the formation of communications and settlements, 4210-4214.—Reference to a report in 1845 or 1846 by Sir William Logan, or one of his assistants, on the minerals around Lake Superior, &c., 4218, 4219.

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*Draper, Chief Justice.* Copy of letter addressed by Mr. Chief Justice Draper to the Secretary of State on 6th May 1857, for the Colonies, relative to the claims put forth by Canada, *App. p. 374*—Memorandum inclosed in this letter relative to the limits of territory to which the Government of Canada lay claim, *ib. 374-378*.

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*Dunn, Mr.* Reference to a pamphlet published by Mr. Dunn, who was in the Company's service many years ago, *Sir G. Simpson 1240-1248*—Belief that there was never any regulation prohibiting Mr. Dunn, or the servants of the Company generally, from keeping journals or records of what passed in the country, *ib. 1954-1958*.

*Duties on Imports.* With respect to a resolution of the Council at Red River in 1845, as to the duties on imports, witness believes it was disallowed, *Sir G. Simpson 1318*—There is an import duty of 4*l.* per cent. on all goods, including those of the Company, going to Red River, and the amount thus raised is expended on roads and schools, or otherwise, for public purposes, *ib. 1787-1793. 1875-1881. 1990-1993*—With regard to any resolutions in 1845, imposing a duty of 20 per cent. on imports, witness further states that they were probably disallowed, and at all events were never enforced against the importers, *ib. 2020-2036*—Further explanation as to the mode of accounting for and expending the receipts from the four per cent. duty on imports to Red River, *ib. 2037-2052*.

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*East India Company v. Sands.* The decision of Lord Jeffery in this case maintains the right of the Crown to grant a license of exclusive trade, *Right Hon. E. Ellice 5823*.

*Edmonton.* At Edmonton the pasturage is very good, and barley is very productive, *Sir G. Simpson 982*—Barley and oats are grown at Edmonton, but wheat has failed; cattle thrive very well, *Miles 4693-4700*.

*Education.* How far provision is made for encouragement given to the education of the Indians and half-breeds, *Sir G. Simpson 1129-1133. 1321-1323. 1331*—There are schools at Red River established by the missionary societies and assisted by the Company, to which the half-breeds go, *ib. 1683-1685. 1717-1723*—With regard to the covenant in the form of lease to settlers, that the settler shall contribute towards education and religious instruction, the same is not enforced, *ib. 1709-1716*—Further statement as to the Company encouraging the education and religious instruction of the Indians, though they have not given specific aid for forming school rooms or purchasing books, *ib. 1721-1723. 1728, 1729. 1791, 1792. 2001-2017. 2056*—The Company do not actually require the missionaries and clergymen to keep schools, *ib. 1730, 1731*.

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Form of government advisable for the island if administered by the Crown, 5859. 5861. 5863-5865—The Legislature at Vancouver's Island should govern the adjacent country up to the Rocky Mountains, 5859-5862—The Hudson's Bay Company might have the right of exclusive trade compatibly with a government of the island by the Crown, 5863-5865—Claim of the Company to compensation for their outlay in the island, 5864. 5873-5880—On the west side of the Rocky Mountains they have no claim, save for outlay, 5864, 5867, 5868.

The fear of competition from American citizens was one of witness's chief reasons for recommending the Act of 1821, giving an exclusive license to the Company, 5866—The Company's claim to the territory is confined to the portion east of the Rocky Mountains; their long possession alone would constitute some claim to this territory, 5868-5872—Examination as to the accuracy of a former statement, that the jurisdiction of the Canadian courts of justice did not extend over all the Company's territories; explanation that the jurisdiction might be enforced, but never has been, 5887-5894. 6014-6017.

Witness considers that the Committee can have nothing to do with the details of capital or of profits of the Company, 5899. 5956. 6004-6007—Large deposits are held and employed by the Company, 5899. 5989-5991.

Further

Report, 1857—continued.

*Ellice, Right Hon. Edward, M.P. (Analysis of his Evidence)—continued.*

Further statement as to the benefits to the Indians through the monopoly of the Company, 5903-5905—Witness repeats that wherever colonisation is practicable or desirable, the rights of the Company should not interfere, 5906, 5907, 5933—As regards communication with Red River, means for getting as far as Lake Superior by vessels have existed for years, 5916-5920—Further statement as to the satisfactory administration by the Company, notwithstanding that there have been complaints by the Red River colonists, 5929, 5930.

A fur company can have very little to do with colonisation, 5931—The Hudson's Bay Company never voluntarily undertook colonisation at Red River, *ib.*—The Company cannot undertake to sink capital in colonising impracticable localities; they have spent large sums where settlement was desirable, 5931-5934—Enterprising, but unsettled character and conduct of 'Dr. McLaughlin'; when in the Company's service he was an excellent officer, 5935, 6030, 6031.

Destruction of the fur trade in the north-west territories, if competition were again allowed, 5937—Competition would reduce the Indians to a state of want, and almost of starvation, *ib.*—Disappearance of the trade before the march of civilisation, 5938-5944—It does not follow that the maintenance of the trade in British North America should be incompatible with colonisation; the trade would only be driven further north, where the best furs are found, 5941-5949.

Further reference to the difficulties of communication with Red River; remarks on the circumstance of the Canadian Government having voted 5,000*l.* for improving the route by Lake Winnipeg and the Lake of the Woods, 5950-5960—Further evidence relative to the capital stock of the Company, and the augmentations therein from time to time; witness cannot go into details hereon before his connexion with the Company in 1821; 5961-5984—Explanation relative to a sum of 84,111 *l.* as the balance expended by the Company in the purchase and support of the Red River colony, 5985-5991.

Remarks on the circumstance of witness, having, many years ago, disputed the right of Lord Selkirk to the Red River colony, whereas since his connexion with the Hudson's Bay Company, and the purchase of the colony from Lord Selkirk, he has maintained the title to the possession of the colony, 5992-6000—In Canada the Indian title to the land has never been extinguished, 6001—Doubt whether Lord Selkirk gave any compensation to the Indians for the Red River district, or whether his rights were under treaty, 6002, 6003.

Propriety of the Company declining to supply a statement of the amount of stock standing in the names of the various shareholders; it is an unusual request on the part of the Committee or one of its members, 6004-6009—Beyond the limits of the charter, Parliament can, if it please, refuse to re-grant the license, without at all aggraving the Company, 6007, 6008—Authority under which the Company hold courts of record at Red River, 6010-6013.

Belief that whether the license be re-granted or not the Company will continue to monopolise the trade, 6018—In the time of the North-west Company competition there was a loss to all parties, 6019, 6056—Further statement as to the great decline of the fur trade in the United States; comparatively small amount of furs exported thence to England, 6020-6024—The posts of the Hudson's Bay Company in the northern parts of Canada are very valuable, 6025, 6026—Objection to making public the tariff prices given to the Indians, 6027.

Improbability for very many years to come of any foreign settlement in the southern portion of the Hudson's Bay territory, 6028, 6029—In the event of forcible encroachment the Company would naturally apply for help to the Government of this country, 6028—Belief that Mr. Douglas makes an excellent governor of Vancouver's Island, 6032—Sundry obstacles and considerable expense which would attend the formation of an independent British colony at the Red River, 6033-6046.

Larger military force required at Red River if directly under the Crown, 6034, 6035—Troops have on former occasions of excitement or of disturbances on the frontier been sent to Red River, 6034, 6050, 6051—Explanation as to a military force at Red River having recently been applied for in consequence of disturbances in Minnesota, and of the possibility of illegal conduct on the part of the half-breeds and Canadian traders, 6034, 6048-6055.

As regards the capital stock of the Company, not much of it is now held in Canada, 6047—Belief that among the Canadian people generally there is not any great agitation against the exclusive rights of the Company, 6054, 6055—The expectation by certain parties of a participation in the fur trade is at the bottom of the agitation in Canada, 6055—No greater objection exists now than in the time of the North-west Company to a competition in the trade, but the competition then was grievous enough, 6056-6058.



## Report, 1857—continued.

*Ellice, Right Hon. Edward, M.P. (Analysis of his Evidence)—continued.*

Reference to an Act passed in 1690, conveying certain powers to the Hudson's Bay Company, but for seven years only; explanation hereon, to the effect that subsequent Acts in 1708, 1744, 1803, and 1818, have contained clauses saving the rights and privileges of the Company, 6059-6069—As regards the administration of justice in the Hudson's Bay territory, the Crown has at present sufficient power to establish magistrates wherever it pleases, 6070, 6071.

*Emigration.* Absence of American emigration from Minnesota to Red River; the nearest American settlement is at Crow Wing River, about 400 miles from Red River, *Sir G. Simpson* 838, 839. 891-907—Facilities afforded by the Company for the entrance of free labourers into the Red River Settlement, *ib.* 1082-1091.

See also *Colonisation and Settlement.*

*Esquimault Harbour (Vancouver's Island).* Excellence of Esquimault Harbour, *Cooper* 3987; *Blanshard* 5288. 5306-5312.

*Exclusive Rights.* See *Canada*, 2. *Colonisation and Settlement*, 3. *East India Company v. Sands.* *Fur Trade.* *Indians*, 6, 7. *License to Trade.*

*Expenditure by the Company.* See *Red River Settlement*, 1. *Vancouver's Island*, 16.

*Expiration of License.* The license to trade, which was granted in 1838, will expire in 1859, *Sir G. Simpson* 1348.

*Exports and Imports.* The only article prohibited for export from the Company's territories is that of fur, *Sir G. Simpson* 1227. 1238—The Company's imports into the territory are about 60,000 *l.* a year, *ib.* 1518-1520—About 40,000 *l.* in imports is distributed among the 55,000 Indians east of the Rocky Mountains, *ib.* 1521-1524. 1547.

Obstacles on the part of the Company to an export trade in tallow and hides between the Red River and the United States, *Isbister* 2407—Further evidence in regard to the obstacles thrown by the Company in the way of exportation from Red River; furs, which are the main produce of the country, are entirely prohibited from export save by the Company, *ib.* 2599-2620—There is no prohibition against the exportation of corn from Red River, *Crofton* 3242. 3298, 3299.

Witness's ship, which is 524 tons burden, takes out a general cargo to Fort York, for the use of the colony, and brings back oil and skins; witness has no cognisance of the value of the cargoes, *Herd* 4599-4602. 4607-4612. 4619-4623. 4629-4631—All the goods, which sometimes include presents for private individuals, are consigned to the Company, *ib.* 4612-4618.

Statement as to the practical discouragement by the Company in the colony of exports of tallow, hides, and tongues; more liberal conduct hereon of the Company in London, *M'Laughlin* 4766: 5001-5007—Probable amount of the total exports from the Hudson's Bay territory, *ib.* 5006—Much larger imports to the territory from England than from America, *ib.* 5047-5053—Witness is not aware of any instance of seizure of goods in consequence of the consignee having trafficked in furs; goods thus consigned have not been carried by the Company, *ib.* 5054, 5055.

Abundance of animals in the territory from which an import trade to this country in hides and tallow, as from Russia, could be derived, *Isbister* 6088.

See also *Duties on Imports.* *Freights.* *Reciprocity Treaties.* *Tallow.*

## F.

*Factors.* The chief factors are *ex officio* members of council, but the number is of necessity often made up by chief traders, *Sir G. Simpson* 710. 1151. 1152. 1372-1375—There are sixteen chief factors, forming the members of the Council, *ib.* 983—The factors act as magistrates, *ib.* 1191-1193.

The average annual share of profit of each chief factor has been 617 *l.* 13 *s.* 2 *d.*, *Right Hon. E. Ellice* 5802.

See also *Servants of the Company.*

*Fisheries.* A whale or seal fishery in Hudson's Bay could not be established with any advantage, *Rae* 632-642—Witness saw a good many whales in Hudson's Bay in 1846-47, but only one or two small ones in 1853-54, *ib.* 640, 641—There is a valuable whale fishery near the mouth of the Mackenzie River, *Isbister* 2580. 2582—Belief as to the accessibility during the summer of the whale fishery off the mouth of the Mackenzie, *ib.* 2581. 2584-2591.

During the last twenty-two years witness, as captain of one of the Company's ships, has seen only one whale in Hudson's Bay, *Herd* 4571—There are white porpoises in the

## Report, 1857—continued.

*Fisheries*—continued.

the bay, and these are commonly called whales, *Herd* 4571. 4638-4641—Even if there were whales in the bay fishing could not be carried on on account of the ice, *ib.* 4572-4578—Witness has seen very few seals in Hudson's Bay, and does not believe there are any fisheries there of any value, *ib.* 4579-4584.

Belief as to whales, seals, and porpoises abounding in the Polar Seas, *King* 5696, 5697—Witness further states that there are very valuable fisheries off the mouth of Mackenzie's River and in other places; authority for his statement hereon, *Isbister* 6076-6087—The lakes and rivers generally are stored with fish, *ib.* 6079—Statement showing that in former years the Company imported from Hudson's Bay a considerable quantity of whales' fins and oil, *ib.* 6079-6082.

See also *Ungava Bay*. *Vancouver's Island*, 15.

*Fitzwilliam, the Hon. Charles William Wentworth (Member of the Committee)*. (Analysis of his Evidence.)—Passed two months in Vancouver's Island in 1853; 2247, 2248—Suitableness of the climate of the island for settlement by Englishmen, 2249—Character of the country; the soil is generally productive, though in places rocky, and the fir timber is magnificent, 2249. 2256. 2379, 2380—Particulars relative to the coal mines at Nanimo, about eighty miles to the north of Fort Victoria, on the east coast, 2250-2252. 2300-2310. 2319-2322. 2340. 2374, 2375—Circumstance of the interior of the country not having been explored or surveyed, 2253-2255. 2276-2282. 2360, 2361.

Excellent harbours at Esquimaux and other places, 2257, 2258. 2277. 2299. 2338, 2339. 2372, 2373—The fisheries along the coast are singularly productive, the fish being traded by the Indians with the Hudson's Bay Company, 2259, 2260. 2366-2369—Very primitive state of the Victoria settlement when witness was there in 1853; particulars hereon as to the extent of land in cultivation, the number of settlers, &c., 2261-2264. 2270-2273. 2295-2298. 2382-2389—Considerable settlement going on on the American mainland opposite the island, 2262-2264. 2363-2365.

Particulars relative to the Indians on the coast of the island; their character, means of subsistence, &c., 2265-2269. 2283-2293. 2314-2318—Productive land in the Cowichan valley, 2268—Causes of the non increase of settlers in the island; doubt as to any encouragement being offered by the Hudson's Bay Company, 2271-2273. 2323-2329. 2352-2359—Size of the island, 2294—Victoria is the only settlement, 2295-2298—Situation of Victoria, 2299—Character of the navigation from Victoria to Nanimo, 2311-2313.

The white population principally came from England, and were, with one exception, servants of the Puget Sound Farming Company or the Hudson's Bay Company, 2323-2326. 2352. 2382-2387—Practice in regard to the sale of land, 2329—Penalty in the event of persons being detected in trading with the Indians in liquor, 2333, 2337—Cultivable character of the islands between Vancouver's Island and the main land, 2341-2346—Manner in which the island is governed and justice administered, 2347-2351.

The Puget Sound Company, which cultivates a considerable quantity of land, is composed of servants of the Hudson's Bay Company, 2352-2355—Settlers in the island would most probably come from the sea rather than the mainland, 2362—Mention of Mr. Cooper as the only independent settler and trader in the island when witness was there, 2369-2371. 2382. 2386, 2387—Wheat, oats, barley, and potatoes were easily raised in the island, 2376-2381.

Witness delivers in a letter received by him from Mr. Cooper in 1853, complaining that Mr. Douglas, the Governor of the island, had forced two men to join an exploring expedition, notwithstanding that they were engaged to perform certain urgent work for him (Mr. Cooper), 2390.

*Floods*. Occasional flooding of the land at Red River, and at various other parts of the territory, *Sir G. Simpson* 804, 805. 875-878. 942-957. 1959-1977—The last great flood was in 1851; *ib.* 957—Reason for no attempt having been made to improve the banks of the river, so as to prevent floods, *ib.* 1978-1980.

Floods are of rare occurrence, *Corbett* 2734-2736—Witness has seen the whole country almost under water for many miles on each side of the Saskatchewan, *Sir J. Richardson* 2901. 2912—Advantage if the occasional floods could be prevented by removing the obstructions and improving the outfalls, *Caldwell* 5624-5630.

*Food*. Before the Red River settlement was founded, animal food and fish formed the main diet in the interior, and corn was imported through Hudson's Bay for the use of the Company's establishments on the coast, *Sir G. Simpson* 863-968—Inability of the Company to support the Indians in the interior and in the northern districts in times of scarcity; food of the country adverted to hereon, *ib.* 1849-1859—The food of the prairie Indians is principally buffalo, and of the thickwood and more northern Indians, fish and rabbits, *ib.* 1849. 1851-1854. 1858.

## Report, 1857—continued.

*Food—continued.*

Reference to a letter from the Rev. Mr. Taylor to witness, dated September 1855, with regard to the uncertainty of the arrival of necessary supplies for the settlers and Indians, *Corbett* 2747-2750—Fixed tariff of charges on some of, but not all, the articles of food supplied by the Company, *ib.* 2751-2754, 2771, 2772.

At Fort Franklin and other places witness has necessarily lived for several months on fish, and frequently passed two or three days without any food at all, *Sir J. Richardson* 2946-2955—Facility in supporting the troops at Red River, *Crofton* 3398-3401—Manner in which the several expeditions of witness in the Company's territories were supplied with food; great assistance afforded hereon by the Hudson's Bay Company, *Sir George Back* 3457, 3492, 3493, 3527-3529—At James's Bay and other places animals are more scarce than formerly, and living is sometimes very precarious, *Right Rev. Dr. Anderson* 4326-4334.

See also *Buffaloes. Fisheries. Indians, 2. Pemmican.*

*Foss. v. Pelly.* Particulars relative to the case of *Foss v. Pelly*, as tried in Assiniboia when witness was governor; interference of Mr. Adam Thorn therein; grounds for the conclusion that substantial justice was not done, *Caldwell* 5442-5516—There were altogether four defendants, and the damages were laid at 300*l.*; eventually the only defendants on the trial were Pelly and his wife, and the damages were laid at 200*l.*, *ib.* 5443—The injustice consisted in the fact of Mr. Thorn having interfered in the case both as advocate and judge, though he had been previously consulted about it, *ib.* 5444-5455, 5460, 5496—The case was tried by jury; how composed, *ib.* 5445, 5446, 5498, 5499—The action was for defamatory conspiracy, *ib.* 5462-5468, 5473, 5474—Captain Foss as well as Mr. Pelly was in the pay of the Company, *ib.* 5463-5467, 5475-5483—Reason why witness did not act as *bond fide* judge in the case, notwithstanding Mr. Thorn's presence, *ib.* 5484-5496, 5500-5502.

*Fraser River.* There is a considerable space of level and cultivable land to the eastward of Fort Langton, at the mouth of Fraser River, *Sir G. Simpson* 558-564, 928-941—The mouth of the river is obstructed by a bar, *ib.* 865-867—Exclusive right of the Company to the fisheries in Fraser's River, *Cooper* 3590, 3740, 3741, 3880-3884—Fitness of part of Fraser's River district for cultivation, *ib.* 3906-3913—The country about Fraser's River on the mainland was spoken of to witness as extremely fertile, *Blanshard* 5112, 5113.

*Free Grants of Land.* If free grants of land were made the territory would soon be settled from Saulte St. Mary to Red River, *M'Laughlin* 5013.—See also *Pensioners.*

*Freights.* Respects in which the Company refuse to become freighters of imports for other parties to York or Moose River, &c., *Sir G. Simpson* 1067-1069, 1073-1081, 1235-1238, 1318—Cost per ton of the freight on goods passing to Red River respectively through the Company's territory and through the States, *ib.* 1302-1308—Circumstance of witness having often suggested to Mr. Sinclair, Mr. M'Dermot, and others at Red River, the propriety of chartering a vessel for themselves for the export of tallow and other produce, *ib.* 1496-1501—Witness is not aware of any regulations for licensing settlers to freight goods between Red River and York Factory, &c.; documents dated July 1845, and purporting to be signed by Alexander Christie, factor of the Company, adverted to hereon, *ib.* 2018, 2019.

Difficulties of the Vancouver's Island colonists through want of freighting for their exports, *Cooper* 3885-3895.

No application has ever been made to witness by merchants at York Fort to put cargo for them on board, *Herd* 4625-4628—Private merchant vessels never call at York for trading purposes, *ib.* 4647, 4648.

Particulars relative to the proceedings consequent upon a demand for over-freight from the Company by Messrs. M'Dermot and Sinclair of Red River; the Governor decided that the case could not be tried in the colony; witness, on the part of Messrs. M'Dermot and Sinclair, then endeavoured to have it settled before the Chamber of Commerce in Canada, or the Board of Trade in London, but without effect, and eventually it was settled by the Company paying a portion of the amount demanded, *M'Laughlin* 4808-4823—Reference to an action brought by the Company against witness in consequence of some rather indiscreet expressions used by him, arising out of the case of the over-freight; it was tried at the Old Bailey, and dismissed by the judge, *ib.* 4823-4845—Witness subsequently took some steps against the Company for false imprisonment, but was prevented by his father from going on with the matter, *ib.* 4846-4852—Circumstance of witness having been intrusted by the Company with the procuring of certain supplies at Red River, subsequently to the demand for over-freight, and the trial at the Old Bailey, *ib.* 4853, 4913-4919.

Witness states that four or five years elapsed before the matter of the over-freight was settled; but subsequently admits, on seeing a receipt in full from Mr. M'Dermot, dated 1846,

## Report, 1857—continued.

*Freights*—continued.

1846, that he may be inaccurate in regard to the date of settlement, *M'Laughlin* 4854-4881.

Reference to a copy of a licence to freight goods from the Red River to York Factory, dated 29th July 1845, *M'Laughlin* 4888-4894.

Difficulty as regards freight to Vancouver's Island, which prevented witness from obtaining supplies from England, *Blanshard* 5178, 5179.

See also *Sinclair, James*.

*Fuel.* Want of fuel in different parts of the Company's territories adverted to as an obstacle to settlement, *Sir G. Simpson* 971-979, 1428-1430—Great deficiency of fuel at Red River, *Right Hon. E. Ellice* 5847—Also on the Saskatchewan *ib*.

*FUR TRADE:*

1. *Conduct of the Trade before the Union of the Canadian and Hudson's Bay Companies; disastrous Competition which prevailed.*
2. *Union of the Companies, and Benefits consequent thereon.*
3. *Licence to Trade as granted in 1838, and previously.*
4. *Question as to the Legality of an exclusive Licence.*
5. *System of Traffic with the Indians; Prices given for Furs.*
6. *Council of Factors.*
7. *Trading Posts.*
8. *Steps taken to prevent Competition or private Trading.*
9. *Extent of private Trading carried on.*
10. *More valuable and extensive Trade in the more remote Districts.*
11. *Fur-bearing Animals; whether on the Decrease or Increase.*
12. *United States.*
13. *Evidence in favour of Competition in the Trade.*
14. *Evidence in favour of the Continuance of Monopoly.*
15. *Probable Monopoly even if the Trade be thrown open.*
16. *Vancouver's Island.*

1. *Conduct of the Trade before the Union of the Canadian and Hudson's Bay Companies; disastrous Competition which prevailed:*

Witness went to Canada in 1803, and was then first connected with the North American fur trade, *Right Hon. E. Ellice* 5775—At that period all the leading commercial community of Canada was engaged in the trade, *ib*. 5775, 5883-5886—The trade was then carried on in countries that are now civilized regions, *ib*. 5775.

Very injurious and disastrous competition, during the earlier part of the century, between the Canadian companies and the Hudson's Bay Company, *Right Hon. E. Ellice* 5778, 5779, 5783, 5784—More active competition, on the part of the Hudson's Bay Company, after Lord Selkirk joined it in 1811, *ib*. 5779-5783—In 1816 the Canadian Government appointed Mr. Coltman as Commissioner to inquire into the disorders in the conduct of the fur trade, and he reported in favour of an union of the interests of the competing companies, *ib*. 5783, 5784—Some sixteen or eighteen people were killed or wounded in an affray between the rival companies, *ib*. 5783.

2. *Union of the Companies, and Benefits consequent thereon:*

In 1819 or 1820 Lord Bathurst, then Secretary of State for the Colonies, consulted witness as to the possibility of an union of the companies, *Right Hon. E. Ellice* 5784—After a very difficult negotiation, witness succeeded in uniting the interests of the various companies, and persuading them to agree to carry on trade under the charter of the Hudson's Bay Company, *ib*—On the union of the companies, the Hudson's Bay Company became more a Canadian than an English company, *ib*. 5784, 5881, 5882—Immediate restoration of peace and order by the union of the companies, *ib*. 5790, 5803-5805—Great benefit of the union of the competing companies to the natives, *ib*. 5803-5808.

3. *Licence to Trade as granted in 1838, and previously:*

Reference to Parliamentary Papers in which the licence to trade, which the Company received from Government in 1821 and 1838, may be found, *Maynard* 4443, 4444.

Crown grant to the Company, dated 30 May 1838, of the exclusive trade with the Indians in certain parts of North America for a further term of twenty-one years, and upon the surrender of a former grant, *App. p.* 414-416.

Copies or extracts of the correspondence which took place at the last renewal of the charter between the Government and the Company, together with the dates of all former charters or grants to the Company, *App. p.* 417-434.

Copy of the grant made to the Company in 1821, *App. p.* 425-427.

Information supplied by the governor of the Company in a letter to the Lords of the Committee of Privy Council for Trade, dated 7 February 1838, relative to the claim for a renewal of the grant, *App. p.* 427-430.

Report, 1857—continued.

## FUR TRADE—continued.

## 4. Question as to the Legality of an exclusive Licence:

Grounds for the conclusion that the Company have not in law an exclusive licence to trade, *Hon. W. H. Draper* 4110-4117. 4125—The question of monopoly of trade, as well as of possession of land, should be referred to the Judicial Committee of the Privy Council, *ib.* 4116.

Witness denies that he was trafficking illegally when, as a British subject in a British colony, he traded in furs, *M'Laughlin* 5060-5062.

Statement by Mr. MacDonell before the Select Committee in Canada, relative to the rights of the Company under their charter, and in contravention of the title claimed, *App. p.* 386—Similar statement by Mr. Dawson before the same committee, *ib.* 394-399.

## 5. System of Traffic with the Indians; Prices given for Furs:

Fairness of the system pursued by the Company in their traffic with the Indians, *Rae* 375—Higher payment given for the less valuable furs, such as the musk-rat, in order to prevent the finer and more valuable animals being killed off, *ib.* 376. 502. 559. 560—Supply of the goods to the Indians on credit, *ib.* 408—Particulars as to the prices put upon goods, with reference to their prime cost, which are bartered with the Indians in exchange for beaver skins; examination hereon to the effect that by the Company's tariff a fair value is placed upon the furs, *ib.* 408-413. 471-511. 520-560.

The prices of the several kinds of beaver skins are well known to the Indians, who are very shrewd in their dealings, *Rae* 485-499. 527. 568-572—Modification of the tariff, some years ago, in favour of the Indians, *ib.* 499. 500. 520-543—The Indians probably pay, indirectly, more than 200 per cent. in beaver skins over and above the first value of the goods, *ib.* 503-511—Process at the Company's forts in regard to the exchange of furs for goods, *ib.* 539. 540—Particulars as to the number of skins of different kinds which would be required for a gun, *ib.* 540-548—Much higher price given for furs in the Mackenzie River than in other places, *ib.* 549. 553. 557.

Payment for the furs by barter, according to a tariff, varied from time to time; *Sir G. Simpson* 1008—Further statement as to the tariff for barter with the Indians; variations in it are settled by the council, *ib.* 1264-1268—In Canada and the American frontier furs are mainly paid for in money, and in the interior it is a barter trade, *ib.* 1536. 1617-1620—There are different tariffs for different places, *ib.* 1536. 1616-1619—Inferior skins, such as musk-rat skins, are constantly taken in return for a gun, *ib.* 1528-1535.

Inadequate value now received by the Indians for skins, *Hon. W. H. Draper* 4191; *M'Laughlin* 5058, 5059. 5066-5068—Much larger price given for skins by the American companies than by the Hudson's Bay Company; documents hereon relative to a contract made by witness for supplying the American Fur Company, *M'Laughlin* 5059. 5062-5065—Witness has given more than 100 per cent. more for furs than the Company gave, *ib.* 5059—Dissatisfaction of both Indians and half-breeds, in consequence of the much lower prices paid by the Hudson's Bay Company than the American companies, *ib.* 5069-5071.

Witness knows nothing of the Company's fur tariff, but believes that on account of the competition at Pembina fair prices were given, *Caldwell* 5608-5611.

Objection to making public the tariff prices given to the Indians, *Right Hon. E. Ellice* 6027.

## 6. Council of Factors:

Conduct of the affairs of the trade by a council of chief factors, which meets generally at Red River, *Right Hon. E. Ellice* 5793, 5794.

## 7. Trading Posts:

Considerable distance generally of the fur-trading posts from Red River, *Caldwell* 5369-5371.

List of the several trading posts or forts of the Company in 1856, *App. p.* 365-367.

## 8. Steps taken to prevent Competition or private Trading:

Unwillingness of the Company to oppose by violence any persons coming from the United States and trading with the Indians, *Sir G. Simpson* 1757-1761.

Instance of the punishment of a soldier for having bartered tobacco with an Indian for some fur, *Crofton* 3224-3230.

Nature of the steps taken by the Company, in order to prevent traffic in furs between the Indians and the settlers, *M'Laughlin* 4735 *et seq.*—Persecution on the part of the Company, in several of the prohibitory measures adopted by them previously to 1849, with reference to the fur trade, *ib.* 4739-4750. 4762-4766—Stoppage of the Company's supplies to the Indians, in the event of their trafficking with the settlers, *ib.* 4740. 4749-4754—Instances of Indians having been imprisoned, or their furs impounded, for trafficking

## FUR TRADE—continued.

## 8. Steps taken to prevent Competition or private Trading—continued.

trafficking with the settlers, *M<sup>c</sup>Laughlin* 4743-4747—Prevention by the Company of traffic between the Indians themselves, *ib.* 4756—Instance of the Company having endeavoured, through a missionary, to induce the Indians not to wear furs, *ib.* 4756-4761—General character of the persecution on the part of the Company, in 1844 and 1845, *ib.* 4762-4766.

As regards the prohibition of the fur trade, witness refers to several documents in corroboration of his evidence on the subject, *M<sup>c</sup>Laughlin* 4766 *et seq.*—Reference to an unsigned proclamation, dated Fort Garry, 7th December 1844, with a view to the prevention of traffic in furs, *ib.* 4786-4791—The proclamations issued in the colony in December 1844, were acted upon for some years, *ib.* 4788-4791.

Explanation relative to Minutes of Council, dated 3d April 1845, laying down certain rules in regard to the administration of the law at Red River upon all questions of revenue or prohibition of licence; the members of this Council were all more or less connected with the Company, *M<sup>c</sup>Laughlin* 4796-4808—Extract from a proclamation by Mr. Christie, with reference to further measures for suppressing illicit trade in furs, *ib.* 4902.

Extract from minutes of meeting of Council at Red River, dated 10th July 1845, imposing certain restrictions upon settlers dealing in furs, *App. p.* 373.

## 9. Extent of private Trading carried on:

Statement as to there being already a considerable private trade in furs between the Red River and the United States, notwithstanding the endeavours of the Company to monopolise the trade, *Isbister* 2451-2458—Since 1849 the illicit trade has been on the increase at Red River, *Caldwell* 5611-5614.

## 10. More valuable and extensive Trade in the more remote Districts:

More abundant and more valuable supply of skins from the districts most remote and most northern, *ib.* 5811-5818. 5941-5949. 6024—Decrease in the trade in the southern portion of the territory, owing to the competition from the American frontier, *Right Hon. E. Ellice* 5820. 5826—Belief that the Company are losing rather than gaining money by the trade in the southern districts, where competition arises, *ib.* 5820—Part of the territory west of the Rocky Mountains is very productive of good furs, *ib.* 5849—The posts of the Company in the northern part of Canada are very valuable, *ib.* 6025, 6026.

## 11. Fur-bearing Animals: whether on the Decrease or Increase:

The fur-bearing animals have increased under the Company's sway, *Sir G. Simpson* 1704, 1705—Destruction of fur-bearing animals by half-breeds and white trappers, rather than by Indian hunters, *Hon. W. H. Draper* 2205—About the Athabasca Fort the beavers, which formerly were to be found in great numbers, had disappeared when witness was there some years ago, *King* 5678-5682. 5689, 5690—Great diminution in the supply of peltry in British North America, *Right Hon. E. Ellice* 5810-5812—In the remote districts, and where the Indians are under control, the fur-bearing animals are on the increase, owing to the regulations of the Company, *ib.* 5811-5816.

## 12. United States:

The American fur companies sell inferior goods to the Indians nearly at the same price as the Hudson's Bay Company, *Rae* 695—There is now no American fur company in the United States, *Sir G. Simpson* 1659-1665—Any American can engage in trade in an American colony under licence from the Government commissioners, *M<sup>c</sup>Laughlin* 5072-5076—Statement as to the great decline of the fur trade in the United States; comparatively small amount of furs exported thence to England, *Right Hon. E. Ellice* 5809. 6020-6024—The furs found in the United States are inferior to those procured in the more northern and colder districts, *ib.* 5945-5949.

## 13. Evidence in favour of Competition in the Trade:

Expediency of abolishing the exclusive privileges of the Hudson's Bay Company in regard to land and trade in the Red River Settlement, &c., *Kernughan* 2131-2134. 2145.

Considerations as to the expediency or otherwise of throwing open the fur trade and allowing Canada to participate in it; witness denies the force of several objections to the trade being opened, but has not formed a decided opinion on the subject as regards the effect upon the Indians, *Isbister* 2409-2435. 2453—Witness does not believe that opening the trade would lead to the destruction of the fur-bearing animals, *ib.* 2415—Under any circumstances the fur trade must, in course of time, be open to competition, *ib.* 2450-2452.

Competition in the fur trade is a source of agitation with many people in Canada, *Hon. W. H. Draper* 4087, 4088—Object of many persons, whose apparent desire is settlement, really to interfere in the fur trade, *ib.* 4180-4182—Feeling in Canada that

## FUR TRADE—continued.

## 13. Evidence in favour of Competition in the Trade—continued.

the rights of the Company should be abolished, and the trade with the Indians thrown open, *Roche* 4509-4511—Anticipated individual trade in furs if the trade were thrown open, *M'Laughlin* 4931-4933.

Statements by Mr. M'Donell and Mr. Dawson before the Select Committee in Canada, in strong opposition to the monopoly exercised by the Company, *App. p.* 386-390. 394-398.

Petition from the Board of Trade of the city of Toronto to the Legislative Council, presented 20th April 1857, with reference to the exclusive rights exercised by the Hudson's Bay Company, *App. p.* 435.

## 14. Evidence in favour of the Continuance of Monopoly :

It is essential that the trade should be a monopoly, *Rae* 378-384. 414-416—An opposition fur trade would result in the introduction of spirits among the Indians, to their great injury, and the exhaustion of the trade, *ib.* 379-384. 414—Evil anticipated from an opposition fur trade on the Company's territories, *Sir G. Simpson* 1645-1648—The export of furs has largely increased, and the trade is now the largest and most valuable in the world, *ib.* 1706-1708—The trade may be kept closed until settlement advances nearer, *Sir J. Richardson* 3131—Competition on the frontier between the American and the Hudson's Bay Companies, *ib.* 3135.

Importance, for several reasons, of the Hudson's Bay Company still monopolising the fur trade for some time at least, within the northern limit proposed to be reserved to them, *Hon. W. H. Draper* 4084-4086. 4189, 4190. 4206-4209—Twofold evil consequent upon competition in the trade, *ib.* 4086—Pending the question of settlement by Canada, the Company should, as at present, monopolise the trade, *ib.* 4206-4209.

Where the monopoly of the Company is not a necessity witness has nothing to say in its favour, *Right Hon. E. Ellice* 5850. 5860-5864. 5867. 5906, 5907. 5933—Destruction of the fur trade in the north-west territories if competition were allowed, *ib.* 5937—Disappearance of the trade before the march of civilisation, *ib.* 5938-5944—In the time of the North-west Company competition there was a loss to all parties, *ib.* 6019. 6056—No greater objection exists now than in the time of the North-west Company to a competition in the trade, but the competition then was grievous enough, *ib.* 6056-6058.

Extract, dated 10th August 1748, from the report of the Committee appointed to inquire into the state and condition of the countries adjoining to Hudson's Bay, and of the trade carried on there, *App. p.* 359-361—Consideration in this report of the petition of certain parties engaged in trying to discover the north-west passage, who take exception to the charter of the Hudson's Bay Company, as void in its original creation, or forfeited by the Company's conduct under it, and request the grant of a charter for themselves to apply to the more northern district, *ib.*—Recommendations in the report that a charter be not granted to the petitioners, as likely to interfere injuriously with the fur trade by creating competition, *ib.* 360, 361.

As regards those extensive regions in which for the present, at least, there can be no prospect of permanent settlement, the Committee are of opinion that the Company should continue to enjoy the privilege of exclusive trade, *Rep. p.* iv—Probability of the indiscriminate destruction of the more valuable fur-bearing animals, if competition in trade be allowed, *ib.*

## 15. Probable Monopoly even if the Trade be thrown open.

Competitions in the fur trade would not probably be very successful at first, *Hon. W. H. Draper* 4187—If the trade were thrown open, competing companies would in time most probably unite, *ib.* 4190—Belief that whether the licence be re-granted or not, the Company will continue to monopolize the trade, *Right Hon. E. Ellice* 6018.

## 16. Vancouver's Island.

Few furs procured from Vancouver's Island, *Cooper* 3816. 3973. 3974—The Hudson's Bay Company might have the right of exclusive trade compatibly with a government of the island by the Crown, *Right Hon. E. Ellice* 5863-5865.

See also *American Fur Company. Ammunition. Canada, 2. 4. Colonisation and Settlement, 3. Compensation. Duties on Imports. Indians, 7. Licence to Trade. North West Company. Red River Settlement, 8. Russia. Spirituous Liquors. Trading Supplies.*

G.

*Geological Formation.* A large proportion of the region east of the rocky mountains is primitive in geological formation, and is almost entirely denuded of soil; *Esfroy*

## Report, 1857—continued.

*Geological Formation*—continued.

167. 202-208. 213. 243-245—Geological formation of Lower Canada adverted to, *Lefroy* 207, 208—The limestone in the prairie territory contains a large quantity of magnesia, and is not fertile, *Sir J. Richardson* 2903—Abundance of limestone in the tract of territory by the Alabasca Lake, *King* 5658, 5659.

Witness has written a geological memoir upon the country, which has been published by the Geological Society, and also a geographical memoir, *Isbister* 6074, 6075.

*Geological Survey.* There has been no geological survey of the territory; advantage of such survey with a view to the discovery of minerals, *Sir J. Richardson* 3092. 3108, 3109.

*Gladman, George.* Statement furnished to the Select Committee in Canada by Mr. George Gladman, who had been in the Company's service for many years, relative to the soil and climate of different portions of the territory, and their fitness for settlement, *App. p.* 390-394.

*Gladstone, Right Hon., Mr.* Resolutions proposed by Mr. Gladstone, and negatived on division by the casting vote of the Chairman, *Rep. p.* xiv.

*Gold.* Statement as to gold having been found near Fort Colville and Thompson's River, *Cooper* 3914, 3915. 3947-3965—Grounds for concluding that gold may be found in a great part of Vancouver's Island, *Right Hon. E. Ellice* 5862.

## GOVERNMENT BY THE COMPANY:

1. *Particulars as to the Local Administration.*
2. *Remarks in Approval or Disapproval.*

2. *Particulars as to the Local Administration:*

Witness has been governor of the Hudson's Bay territories for the last thirty-seven years; nature of his authority, *Sir G. Simpson* 702-706. 712, 713—Has resided for several years at the Red River Settlement, as well as in Oregon, in Athabasca, and Canada, *ib.* 707—There is a separate seat of Council for the northern and southern departments, *ib.* 708—Authority of the Council, *ib.* 711-713—In the absence of the Council, witness's authority is supreme, *ib.* 713—Witness have travelled through the grater part of the Company's territories; he has crossed the Rocky Mountains at three different points, *ib.* 714, 715.

Extent to which the transactions of the Council are kept secret from the public, *Sir G. Simpson* 1125-1145. 1182—In the district of Assiniboia, which includes the Red River Settlement, the recorder, Mr. James Johnson, is the governor of the district, and exercises executive as well as judicial power, *ib.* 1153-1156. 1364, 1365. 1368—The Governor and Council have no legislative powers, save as regards the making of laws or regulations for the management of their own affairs, *ib.* 1159, 1160. 1168-1176—The Council assembles at Norway House some time in June, seven factors out of the entire number of sixteen forming a quorum, 1177-1181—Constitution and mode of appointment of the Council in the Assiniboia district, *ib.* 1183-1188. 1363-1371.

Any new regulations affecting the Red River Settlement are published, but it is not considered necessary to publish old ordinances, *Sir G. Simpson* 1292-1298—In the government of Red River, there is not necessarily any reference to Norway House, *ib.* 1355-1357—The Assiniboia district forms a circuit of fifty miles from the forks of the Red and Assiniboine Rivers, but criminals are sent thither from distant parts of the territory, *ib.* 1362. 1384-1387—Witness's appointment is by the Governor and Committee at home, and is revokable at any time, *ib.* 1376-1381—Witness has no head quarters, *ib.* 1382, 1383—The governor of Assiniboia is resident, *ib.* 1383.

Circumstance of there having formerly been two governors in the territory, Governor William and Governor Simpson, *Sir J. Richardson* 3029-3032—Way in which the Legislative Council at Red River was composed and elected when witness was there, *Caldwell* 5415-5422.

Passages in the charter or grant by Charles the Second, relative to the jurisdiction of the Company, and the administration of justice, *App. p.* 413, 414.

2. *Remarks in Approval or Disapproval:*

Witness considers that it would be a very great calamity if the control of the Company were altogether to cease, *Ross* 10—Constant peace within the territory through the operations of the Company, *ib.*—Constant war between the natives of the American territory on the one side and the Indian tribes on the other, *ib.* 10. 140, 141.

There has been constant peace in the territory between the Whites and the Indians since witness has been governor, whereas on the American frontier a continual war has been going on, *Sir G. Simpson* 1012-1017—The Company have gone on in perfect harmony with the Canadians and the Canadian Government, *ib.* 680.



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## GOVERNMENT BY THE COMPANY—continued.

## 2. Remarks in Approval or Disapproval—continued.

Opinion that the system of management adopted by the Company is unfavourable to the development of the resources of the country, and to the progress of the civilization of the inhabitants. *Isbister* 2406, 2407—As regards the more peaceful conduct of the Indians in the Company's territories than of those in the United States, the same is in no way attributable to the sway or influence of the Company, *ib.* 2418-2427.

Power of the Company still to preserve their authority in the country, provided the fur trade is not thrown open, *Sir J. Richardson* 3128-3130—Witness considers the government of the Red River colony to be a patriarchal government, *Crofton* 3180—Approval, on the whole, of the government by the Company, *ib.* 3332-3335.

Distinction between the rule of the Company as in London and in the colony, *M'Laughlin* 4789, 5001—Proclamations form the only means whereby the settlers know the regulations of the Company, *ib.* 4966-4968.

Statement by the governor of the Company as to the inexpediency of further legislative measures for the government and administration of the territory, and as to their objection to undertake a divided administration, *App. p.* 406.

Statement by the governor of the Company as to the success of their administration hitherto; approbation has been expressed hereon by every succeeding Secretary of State for the Colonies for the last 37 years, *App. p.* 406.

See also *Administration of Justice. Canada. Red River Settlement. Vancouver's Island.*

*Grand Rapids District.* Statement as to Sir G. Simpson having endeavoured to intimidate Archdeacon Cochrane and others from building the church at the Grand Rapids District, *Corbett* 2704-2709.

*Grand Trunk Railway of Canada.* Witness is at the head of the Trunk Railway of Canada, *Ross* 8—An extension of the Trunk Railway to the Red River should pass through the valley to the north of Lake Huron and Lake Superior, where the land is very suitable for a settlement, *ib.* 40-46, 142, 145, 146—The railway is now nearly carried to Lake Huron, *ib.* 43—How far it may be carried by the Acts already obtained, *ib.* 45, 153—It is about 1,200 miles from the point to which the present railway concession extends, to the Red River, *ib.* 153.

*Grant, Mr.* Mention of Mr. Grant of Red River as a very good magistrate, *Caldwell* 5574.

*Great Fish River.* Very fine grazing country all the way along the Great Fish River to the Polar Sea, *King* 5664, 5665.

*Gunn, Donald, Sen.* Letter from Mr. Gunn to the President of the Executive Council of Canada, dated Red River, 6 March, containing sundry particulars and statistics relative to the Red River Settlement, *App. p.* 381-385.

H.

*Half-breeds.* Difficulty in governing half-breeds, as at Red River, *Ross* 129-131—Reluctance of the English half-breeds to settle, *Rae* 655-659—Doubt as to there being any difficulty in governing the English half-breeds, *ib.* 660, 661—The half-breed population is in some places largely increasing, *ib.* 662.

There are about 4,000 half-breeds at Red River, *Sir G. Simpson* 1681, 1682—The increased instruction of the half-breeds has not created any increased desire on their part for a free trade in furs, *ib.* 1686-1694.

Dissatisfaction among some of the half-castes at Red River on account of the monopoly of the fur trade, *Sir J. Richardson* 2942, 3128—Discontented state of the half-breeds at Red River, because they were not allowed to distil spirits from their own corn, or to traffic in furs, *Crofton* 3232-3246.

Progressive social and intellectual development of the half-castes at Red River, *Right Rev. Dr. Anderson* 4383, 4421-4429—Dependence to be placed in the half-castes as settlers, *ib.* 4384, 4416, 4425.

Explanation as to a claim made by the half-breeds upon the Hudson's Bay Company in consequence of their having been prohibited by the Americans from hunting buffalo south of the 49th parallel, *M'Laughlin* 4903-4907—Neither physically nor intellectually are the half-breeds at Red River inferior to the Whites, *ib.* 4992-4996—High position of the American half-breeds at St. Peters, *ib.* 4997-4999.

Large proportion of half-breeds in the Red River Settlement, *Caldwell* 5363—Troublesome conduct of the half-breeds when witness arrived at Red River some years ago; they require a stringent mode of government, *ib.* 5364, 5372—Means of livelihood of the

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*Half-breeds*—continued.

the half-breeds, *Caldwell* 5365-5368—Good social position of some of the half-breeds, *ib.* 5573, 5574.

See also *Education*. *Red River Settlement*, 8.

*Headingley*. The original terms in regard to land at Headingley were, that each settler should pay 2*l.* for each lot of land, whereas the terms have since been raised to 12 *l.* and 15 *l.*, *Corbett* 2684, 2685.—See also *Missionaries and Missionary Settlements*.

*Health*. The country about the Red River, &c., is very healthy, *Lefroy* 313—The troops at Red River in 1846-48 continued in excellent health, *Crofton* 3402-3405.

*Herd, Captain David*. (Analysis of his Evidence.)—Has for the last eighteen or nineteen years commanded a ship of the Hudson's Bay Company, sailing between this country and Fort York; was previously an officer in one of their ships for three years, 4566-4570—During the last twenty-two years witness has seen only one whale in Hudson's Bay, 4571—There are white porpoises in the Bay, and these are commonly called whales, 4571. 4638-4641—Even if there were whales in the Bay, fishing could not be carried on on account of the ice, 4572-4578.

Particulars as to the difficulty of navigating the Bay by reason of the ice; save for six weeks or two months in the year the Bay is not navigable, 4572-4578. 4592. 4603-4606. 4645-4649—Witness has seen very few seals, and does not believe there are any fisheries of any value, 4579-4584—Doubt as to there being any advantage in a steamer over a sailing vessel for the voyage to and from Fort York, 4585-4595. 4642-4646.

The voyage is farther and more difficult from London to Fort York than to Montreal, 4597, 4598—Witness's ship, which is 524 tons burden, takes out a general cargo for the use of the colony, and brings back oil and skins; he has no cognisance of the value of the cargoes, 4599-4602. 4607-4612. 4619-4623. 4629-4631—All the goods, which sometimes include presents for private individuals, are consigned to the Company, 4612-4618—Difficulty in making up the return cargo when the vessel is not full, by the addition of tallow from Red River; short supply there, 4623, 4624.

No application has ever been made to witness by merchants at York/Fort to put cargo for them on board, 4625-4628—Probable quantity of oil brought from the Bay to this country, 4629-4635—Private merchant vessels never call at York for trading purposes, 4647, 4648—Bleak appearance of the country about York, 4649, 4650.

*Hudson's Bay*. Obstacles to carrying on a traffic through Hudson's Bay, *Sir G. Simpson* 969, 970—Particulars as to the difficulty of navigating the Bay by reason of the ice; save for six weeks or two months in the year the Bay is not navigable, *Herd* 4572-4578. 4592. 4603-4606. 4645-4649.

## I.

*Immigration*. See *Colonisation and Settlement*. *Emigration*.

*Imports*. See *Duties on Imports*. *Exports and Imports*. *Freights*.

*Indian Corn*. Indian corn may be cultivated between the latitudes of 49° and 51°, and ripens very well at the Red River, *Isbister* 2572-2577.

## INDIANS:

1. *Population; whether Increasing or Decreasing.*
2. *Physical Condition; Instances of Destitution, Starvation, and Cannibalism.*
3. *Effect of Colonisation and Civilisation.*
4. *Treatment of the Indians by the Company and their Servants.*
5. *Settlement of Indians; Practice of the Company hereon.*
6. *Question as to the Preservation of Peace if the Trade be opened to Canada.*
7. *Effect of Competition in Trade upon the Indians.*
8. *Canada.*

1. *Population; whether Increasing or Decreasing:*

Particulars as to the amount of Indian population, *Sir G. Simpson* 993-997—The Indian population of Rupert's Land is estimated at 42,840, *ib.* 993—In the Company's territory, east of the Rocky Mountains, the Indian population is estimated at 12,730, *ib.* 995—West of the Rocky Mountains, the population is calculated at 80,000, *ib.*—The total Indian population (including that of Vancouver's Island) is estimated at 139,000, *ib.* 996, 997—Increase of the Indians in the thick-wood country, and decrease of the Indians in the plains, *ib.* 999-1005.

Mode of ascertaining the number of Indians in different districts, *Sir G. Simpson* 1062, 1066—The total of the Indians east of the Rocky Mountains is 55,000, and west of the mountains 80,000, *ib.* 1472—Further opinion that the Indian population in the thick-wood country is increasing, *ib.* 1615—Over about 25,000 Indians east of the Rocky Mountains, that is the Plain tribes, the Company have no control, *ib.* 2001.

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## INDIANS—continued.

1. *Population ; whether Increasing or Decreasing*—continued.

Increase in the number and the prosperity of the Indians in certain parts of Canada, *Roche* 4523. 4525-4538—According to Bancroft the Cherokees, the Choktaws, the Crees, and the Winnepagos, are increasing in number, though in contact with the Americans, *ib.* 4523—Impression that Sir G. Simpson's estimate of the number of the Indian population is too low, *Right Rev. Dr. Anderson* 4291, 4292—The Indians are increasing where settled and decreasing up the country, but on the whole, decreasing, *ib.* 4347, 4348.

Great difficulty in obtaining reliable information respecting the Indian population on account of their migratory habits, and the vast extent of country over which they are spread, *App. p.* 365—Statement of the number of Indians frequenting the several trading posts of the Company, *ib.* 365-367—Estimate of 147,000 as the total number of Indians in the territory, *ib.* 367.

2. *Physical Condition ; Instances of Destitution, Starvation, and Cannibalism :*

Miserable condition of the Indians in many parts through the precariousness of their means of subsistence, *Lefroy* 329. 332—Large earnings of the Indians by employment at some of the forts in summer, *Rae* 408.

Great mortality among the Indians about forty years ago from smallpox and measles, *Sir G. Simpson* 998—Better position of the Indians as regards means of subsistence, on the west than on the east of the Rocky Mountains, *ib.* 1329, 1330—Although higher prices are given on the frontier than in the interior for skins, witness considers that the Indian is better off in the interior, *ib.* 1537-1546.

Examination as to the extent to which the Indians have, in different parts of the interior, been reduced to starvation or cannibalism, *Sir G. Simpson* 1548 *et seq.*—Exaggerated character of a statement by Mr. William Kennedy, as to starvation and cannibalism among the Indians at Fort Nascopie, *ib.* 1558-1564—Consideration of statements in a book published by Mr. Thomas Simpson, as to the Indians between Lakes Superior and Winnipeg being frequently reduced to starvation and cannibalism in the winter ; belief that the statements are exaggerated, *ib.* 1597-1605. 1608-1612—Reference to a statement by Mr. Ballantyne as to starvation and cannibalism among the Indians at Peel's River ; doubt as to its accuracy, *ib.* 1606, 1607—Cases of cannibalism are very rare indeed among the Indians, *ib.* 1607.

Instances of famine and starvation among the Northern Indians, in consequence of the bad hunting seasons, and the barrenness of the soil, *Sir J. Richardson* 2988-2991. 3002, 3003—Instances of distress and of mortality of the Indians from want of food, *Sir George Buck* 3496-3498. 3508, 3509. 3524, 3525. 3536-3539—Great mortality among the Indians in consequence of European diseases, which, up to 1836, had not been met by any supply of medical men at the Company's forts in the north, *King* 5699-5703.

3. *Effect of Colonisation and Civilisation :*

Deterioration and diminution of the Indian population throughout the Company's territories in consequence of the moral effect of association with the whites, *Lefroy* 326-331. 337-339. 351, 352—Union going on of the whole white and Indian races, *Rae* 428—South of the Sa-katchewan River the Indians are most free from cross of any kind, *ib.* 429—Effect generally of civilisation in leading to the disappearance of the red man, *Rae* 670-672 ; *Blanshard* 5239-5243.

Illustration of the beneficial influence of the Hudson's Bay Company over the Indians since witness first visited the country in 1819, *Sir J. Richardson* 2936—Marked improvement in the Indians during the last thirty years, *ib.* 2936. 2963—Great difference between different tribes of Indians in regard to civilisation or settlement ; particulars hereon, *ib.* 2966-2985—Better condition of the Red River Indians, in consequence of the missionaries' influence, than of those in the remote districts, *Crofton* 3418-3422—Slight effects of civilisation upon the Indians, *Sir George Back* 3510, 3511—Better position of the Indian under the Company's rule, though less independent since the use of fire-arms and ammunition, *ib.* 3517-3523.

Although in the United States and Canada the red man has disappeared before the march of colonisation, witness believes that if proper measures be taken in regard to the settlement of the Hudson's Bay territory, the Indians may become tillers of the soil, and preserved as a distinct people, *Right Rev. Dr. Anderson* 4385-4420—Witness would rather keep back colonisation than see the Indian sacrificed, *ib.* 4409-4413.

4. *Treatment of the Indians by the Company and their Servants :*

Testimony to the kind and considerate behaviour of the Company's traders towards the Indians, *Lefroy* 356-360—Friendly treatment generally of the Indians by the Company's servants, *Rae* 561, 562—Relief in clothes, medicine, and food, given gratuitously to Indians at Moose Factory during witness's residence there some years ago, *ib.* 562. 673-682.

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## INDIANS—continued.

4. *Treatment of the Indians by the Company and their Servants—continued.*

The Indians are never required to pay for the lands they occupy, *Sir G. Simpson* 1094. 1697—Support by the Company of one of the Indian chiefs, *ib.* 1095—Absence of desire in the Indians to trade with America rather than with the Company, *ib.* 1698-1703—Perfect liberty of the Indians to act as they please, the Company exercising no control over them, save when crimes are committed on the whites, *ib.* 1747-1756. 2057—The Company do not consider themselves charged with the education or civilisation of the Indians, but nevertheless contribute thereto, *ib.* 2056, 2057.

Great kindness of the Company and their servants to the Indians when in distress; instances of this, *Sir George Back* 3487. 3496. 3513-3516. 3549-3556—Good feeling of the Indians towards the Company, *ib.* 3514—Frequent instances of presents of clothing or food to the Indians, *ib.* 3549-3555—The Company have done much for the protection of the Indians, *Right Rev. Dr. Anderson* 4275—Necessarily kind treatment of the Indians by the Company, *King* 5691.

Regulation of the Company, with a view to a kind and indulgent treatment of the Indians, *App. p.* 368.

5. *Settlement of Indians; Practice of the Company hereon:*

Reference to attempts made to collect and settle the Indians in villages near Norway House and the Basquia River, *Lefroy* 346-350—The settlements of the Indians would not be prejudicial to the fur trade, *Rae* 417—Unsuccessful attempts made at Moose Factory and other places to effect a settlement of Indians, *ib.* 418-427—Partial success of the settlement of Indians at the Red River, *ib.* 649. 656-665.

Encouragement given to Indians to resort to agriculture, but without success, *Sir G. Simpson* 1009-1011—Encouragement given to the settlement and civilisation of the Indians, *ib.* 1092-1102—Nature of the means used by the Company, in order to induce the Indians to practise agriculture, *ib.* 1997-2000.

Opportunity given to the Indians to settle where they please, *Sir J. Richardson* 2964—Between the Red River and Canada there is an Indian settlement, *ib.* 2967—There was an Indian village above Cedar Lake, on the Saskatchewan, when witness was last in the country, and the Indians were to a certain extent agriculturists, *ib.* 3023-3027—All settled Indians partly cling to hunting, *ib.* 3028.

Particulars as to the Indian settlements at Red River and Moose Fort; increase of the native population, of native education, and of social improvement at those places, *Right Rev. Dr. Anderson* 4255. 4262-4273. 4297-4299. 4386-4391—Encouragement by the Company to agriculture by the Indians at Red River, &c., *ib.* 4300-4303. 4345, 4346—The Company have not specially tried to collect the Indians into villages, *ib.* 4335.

The Indians on the Grand River and at the Credit, are settled and are increasing; the former gave 100*l.* to the Patriotic Fund, *Roche* 4525-4530—Assistance rather than obstruction to colonisation, as far as the Indians are concerned, *Blanshard* 5236-5249—At the Indian settlement at Red River there are farms and some cattle, *Caldwell* 5578—Non-discouragement of Indian settlements in Assiniboia when witness was there, *ib.* 5586.

6. *Question as to the Preservation of Peace, if the Trade be opened to Canada:*

Inexpediency of any conflict between the Canadian Government and the Indians in the Company's territory, *Ross* 56. 59, 60—Protection to the border country, on account of the occupation given by the Company to the Indians, *ib.* 60, 61—Witness does not apprehend any outbreak with the Indians if the Red River colony were transferred to Canada; they must, however, be treated justly, and compensated for their lands, *Hon. W. H. Draper* 4081, 4082. 4165-4167—Disastrous wars between the Indians and Americans adverted to, *ib.* 4083.

East of the Rocky Mountains the Indians and Americans have not for many years been at war, *Roche* 4518-4520—As regards the warfare with the Indians in the territory of the United States, the same does not arise from any traffic in furs, or abuse thereof, *M. Laughlin* 5080-5084—The Indian tribes in the Hudson's Bay territory are much more peaceable than those in the United States territory; an opening of the country would not lead to violence, *ib.* 5085-5094.

7. *Effect of Competition in Trade upon the Indians:*

Great suffering of the Indians if the rights of the Company were abruptly abrogated, *Hon. W. H. Draper* 4189—It is only by competition that the Indians can receive fair play, *M. Laughlin* 4947—Consideration of the effect upon the Indians if the territory were annexed to Canada, and the trade opened; belief, that by restrictions on the sale of spirits the Indians would prosper, *Roche* 4512-4543.

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7. *Effect of Competition in Trade upon the Indians*—continued.

Indians under a system of competition in trade, *Right Hon. E. Ellice* 5804, 5806-5808, 5937—Benefits to the Indians through the monopoly of the Company, *ib.* 5903-5905.

Fatal effects sure to result to the Indian population from a system of open competition in the fur trade, and the increased introduction of spirits consequent thereon, *Rep.* p. iv.

8. *Canada:*

In the Canadian territory the Indians are comparatively comfortable and prosperous, *Lefroy* 333-336—Reference to a slight collision between the Canadian Government and some Indians relative to some mines in islands on Lake Superior; cause of the affair; *Hon. W. H. Draper* 4165, 4215-4217—In Canada the Indian title to the land has never been extinguished, *Right Hon. E. Ellice* 6001.

See also *Aborigines' Protection Society*. *Ammunition*. *Basquia River*. *Blackfeet Indians*. *Cherokee Indians*. *Chippewyan Indians*. *Chippewas Indians*. *Christianity*. *Compensation*. *Coppermine Indians*. *Crees Indians*. *Education*. *Food*. *Fur Trade*, 5. *Government by the Company*. *Peguis*. *Sotoos Indians*. *Spirituons Liquors*. *Vancouver's Island*, 11.

*Interest on Servants' Savings*. There is no savings bank in the territory, but the Company allow four per cent. on money placed in their hands, *Sir G. Simpson* 1146-1149—The statement that the Company allow four per cent. on savings lodged in their hands applies to their servants and not to the settlers, *ib.* 1994.

*Iowa*. Settlement of Iowa under the United States adverted to, *Ross* 79-85.

*Iron*. There is an abundance of iron ore in the Mackenzie River district, *Isbister* 6091.

*Isbister, Alexander*. (Analysis of his Evidence.)—Has devoted considerable attention to the affairs of the Hudson's Bay Company, 2391, 2405—Is a native of the Company's territory, and passed the first twenty years of his life there, 2392, 2400, 2401, 2404, 2560, 2561, 2650, 2651—During the years 1838-40 was in the service of the Company at Mackenzie River; he then came to England, having left the Company's service without any dispute, 2393-2399, 2402, 2403.

Opinion that the system of management adopted by the Company is unfavourable to the development of the resources of the country, and to the progress and civilisation of the inhabitants, 2406, 2407—Obstacles on the part of the Company to an export trade in tallow and hides between the Red River and the United States, 2407—Anticipated settlement by Canadians of the district between Lakes Superior and Winnipeg, if proper facilities be given, 2408, 2409, 2625-2632.

Considerations as to the expediency or otherwise of throwing open the fur trade and allowing Canada to participate in it; witness denies the force of several objections to the trade being opened, but has not formed a decided opinion on the subject as regards the effect on the Indians, 2409-2435, 2453—Circumstance of Canada having laid claim to the Hudson's Bay Territories; grounds on which founded, 2410, 2411, 2523, 2524—Possible disadvantage as regards the introduction of spirituous liquors if the trade were opened, 2412, 2428, 2429—Supply, at present, of spirits to the Indians in the more southern portion of the territory; grounds for this statement, 2412-2414, 2429, 2430, 2583.

As regards the more peaceful conduct of the Indians in the Company's territories than of those in the United States, the same is in no way attributable to the sway or influence of the Company, 2418-2427—Practicability and advantage of vesting in the Canadian Government the administration of the Hudson's Bay Territories, east of the Rocky Mountains; suggestions hereon, 2436 *et seq.* 2525 *et seq.*—A custom-house or small garrison at Red River would keep the whole country under control, 2441-2445.

Approval of gradual annexation to Canada accordingly as any portion of the territory was fit for settlement, 2446—Vancouver's Island and the main land west of the Rocky Mountains should form a separate colony and government, 2447, 2448, 2526—Measures to be apprehended on the part of the United States unless the territory north of the frontier is settled and conveyed to the Canadian Government, 2449, 2633-2638—Unless the fur trade is thrown open there will not be sufficient inducement to settlers or emigrants, 2450.

Under any circumstance the fur trade must in course of time be open to competition, 2450-2452—Statement as to there being already a considerable private trade in furs between the Red River and the United States, notwithstanding the endeavours of the Company to monopolise the trade, 2451-2458—Reference to a petition from the Red River settlers to the Colonial Office presented by witness some years ago; belief as to the accuracy of the statements urged at the time in support of the petition, 2459-2467.

Statement to the effect that the Company in no way encourage the establishment of schools, save by a contribution of 100*l.* a year to a school at Red River, 2468-2484—

Authority

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*Isbister, Alexander.* (Analysis of his Evidence)—continued.

Authority for the statement that, practically, the Company do not promote religious instruction, and that their donations to missionaries are given with the view that the latter may shut their eyes to the obstructions offered by the Company to the settlement of Indians around the missionaries, 2485-2499. 2550, 2551.

Explanation in regard to the tenure of a farm belonging to witness at Red River, which formerly belonged to his father as a retired officer of the Company, 2500-2513—Doubt as to there being any impediments to the purchase or transfer of land under the Company, 2513-2518—Nature of the deed under which land is held, 2513. 2520—Price of land at Red River, 2519—Squatters on the land have not been molested by the Company, 2521.

Great importance of aggregating the territory to Canada with a view to the fur-trade taking the route of Lake Winnipeg and Lake Superior, rather than the unnatural route of Hudson's Bay, 2528-2549. 2629, 2630—Of the three routes to Red River, that is, by York Factory, St. Peter's, or Lake Superior, the latter is by far the shortest, and is very practicable, 2529-2533—Advantage in aggregating the Red River district, &c., to Canada, rather than of forming it into a separate government and colony, 2534-2549.

Dissatisfaction of the Red River settlers with the government of the Company; petition by the settlers to the American Government adverted to hereon, 2552-2559—With regard to the climate, barley, oat, and potatoes may be raised as far north as Fort Norman, and wheat as far north as the North Saskatchewan, 2562-2572. 2647-2649—Indian corn may be cultivated between the latitudes of 49° and 51°, and ripens very well at the Red River, 2572-2575—Probable amelioration of the climate at Red River in consequence of the cultivation, 2577.

There are no valuable fisheries in Mackenzie River, 2578, 2579—There is a valuable whale fishery near the mouth of the river, 2580. 2582—Belief as to the accessibility during the summer of the whale fishery off the mouth of the Mackenzie, 2581. 2584-2591—The Mackenzie is a very fine river, and perfectly navigable, 2592-2597—The Slave River, which connects the Slave Lake with Athabasca Lake, is interrupted by frequent portages, 2596.

Further evidence in regard to the obstacles thrown by the Company in the way of exportation from Red River; furs, which are the main produce of the country, are entirely prohibited from export save by the Company, 2599-2620—Restrictions upon imports by settlers, 2620-2624—Increased value of property at Red River if the settlement were annexed to Canada, 2625-2627—Outlet for produce and consequent immigration if there were a free and good communication to and from the Red River, 2627-2630.

Reference to a treaty between the United States Government and the Indians, and half-breeds at Red River; object thereof, 2633-2638—Practicability of agriculture wherever the limestone secondary formation occurs, as between the great lakes and the Rocky Mountains, 2639. 2654, 2655—Remarks on the circumstance of the subsoil being permanently frozen in the more northern parts of the territory; if the thaw be sufficiently deep, the frozen subsoil by no means prevents agriculture or vegetation, 2640-2649—With regard to the coal on the Saskatchewan, &c., it is a tertiary coal, and of very tolerable quality, 2652-2654.

[Second Examination.]—Witness has travelled through the Hudson's Bay territory from the frontiers of the United States to the Arctic Ocean, and from Russian America to Hudson's Bay, 6073—He has written a geological memoir upon the country, which has been published by the Geological Society, and also a geographical memoir, 6074, 6075.

With regard to fisheries in the territory witness further states that there are very valuable fisheries off the mouth of Mackenzie's River and in other places; authority for his statements hereon, 6076-6087—Abundance of animals in the territory from which an import trade in hides and tallow, as from Russia, could be derived, 6088—Various vegetable products of the country which might be advantageously imported into this country, 6088-6090—Abundant supply of minerals of different kinds, some of them in a very accessible state, 6090, 6091.

There are three passes over the Rocky Mountains: one through the Peace River, which flows right through the mountains, one from the northern branch of the Saskatchewan, and one from the southern branch which may be crossed in wheel carriages, 6092-6094.

Witness lays before the Committee (*App. p.* 437-439) a petition signed by some hundred of the inhabitants of Red River, and presented to the Legislative Assembly of Canada; it has been forwarded to witness by Mr. Macbeth, a member of the Assembly, 6094-6098.

J.

*Jurisdiction.* Witness does not recollect the existence of any agreement by the Company to send criminals to be tried in Canada, *Sir G. Simpson* 1630-1632—On one occasion three men were sent to Canada for trial for murder, *ib.* 1633, 1634—Criminal as well as civil jurisdiction exercised by Mr. Thorn at Red River; case of an Indian hanged by his decree, *Mr. Laughlin* 5019-5029.

Witness, as Governor of Assiniboia, considered that he had not jurisdiction in cases involving an issue of more than 200*l.* damages, and wrote to the home authorities on the subject, *Caldwell* 5458, 5507—Explanation as to witness having received information from London that he had jurisdiction in civil cases, which, like that of *Foss v. Pelly*, involved damages of more than 200*l.*, *ib.* 5507-5516, 5591, 5592—Instances of trial at Red River of cases of a capital nature, *ib.* 5517-5519—Previously to the investigations of the present Committee, witness was not aware that capital cases should be referred to the courts in Canada, *ib.* 5520-5524.

The obligation of the Company to send certain prisoners and cases to Canada, does not apply to the chartered territories, *Right Hon. E. Ellice* 5826, 5827, 6014, 6016, 6017—Examination as to the accuracy of the foregoing statement, that the jurisdiction of the Canadian courts of justice did not extend over all the Company's territories; explanation that the jurisdiction might be enforced, but never has been, *ib.* 5887-5894, 6014-6017—Authority under which the Company holds courts of record at Red River, *ib.* 6010-6013.

Letter from the assistant secretary of the Hudson's Bay Company to Major Caldwell, Governor of Assiniboia, dated 5 April 1854, referring among other matters, to the competency of the court of Assiniboia to adjudicate in civil cases exceeding the amount of 200*l.*, *App. p.* 437.

In any districts annexed to Canada, the authority of the Company should entirely cease, *Rep. p.* iv.

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K.

*Kernaghan, William.* (Analysis of his Evidence.)—Is a general merchant at Chicago, 2126, 2127—There is now steam-boat communication from Chicago to Superior, and other cities at the extreme end of the lake, 2128, 2129, 2142-2144—Considers it expedient to abolish the exclusive privileges of the Hudson's Bay Company in regard to land and trade in the Red River Settlement, &c., 2131-2134, 2145—Circumstance of 500 waggons of goods having gone from the Red River Settlement to St. Paul's or St. Anthony's last season, returning with goods of American or British manufacture, 2134, 2156, 2157, 2170.

Complaint in regard to the duties in America on the British goods taken back to Red River; such duties would have been avoided by a direct route to the settlement through Canada, 2135 *et seq.*—Communication at present with the extreme end of Lake Superior, 2136, 2137, 2142-2144—Goods might be conveyed between Fort William and Red River for about 10*l.* a ton, 2138-2141—Superior City is a new place, but will this year have a population of about 10,000; 2144—Circumstance of its being contemplated by some Americans to make a practicable navigation between the lower Red River and Lake Superior, *via* Lake Winnipeg, 2147, 2148.

[Second Examination.]—Witness has been settled at Chicago for some time, 2171-2173—Further reference to the navigation of Lake Superior; there is communication from Chicago to three ports, 2174-2179—Superior City was founded a year and a half ago, 2180—Communications are being made by railway from Chicago to several points, 2181—Contemplated river or canal communication between Lakes Winnipeg and Superior further adverted to, 2182-2187, 2222, 2223—Chicago has a rapidly increasing population of about 110,000; 2189-2191.

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Facilities for mining operations and settlement on the American side of Lake Superior, there being no such facilities in the British territory, 2217-2221, 2224-2227—If proper facilities were given by the Hudson's Bay Company, the Red River and other districts would be settled from the American territory, 2227-2231, 2237-2246—Circumstance of its having been rumoured that the Company were anxious to stop the Red River traders from taking their goods to St. Paul's, 2235, 2236—Rapid and immense increase of the population in Minnesota, 2237.

King,

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**King, Richard, M.D.** (Analysis of his Evidence.)—Travelled through the Hudson's Bay territory from 1833 to 1836 as surgeon and naturalist to the expedition in search of Sir John Ross, 5633-5636—Has not been in the country since that period, 5637—Route taken by the expedition; it started from Montreal, and reached the sea at the estuary of the Great Fish River, and returned by the English River to York Factory, 5638-5640.

Information relative to an enormous tract of country, bounded on the north by the Athabasca Lake, and on the south by Cumberland House, which as regards both soil and climate is peculiarly adapted for cultivation, 5641 *et seq.*—Better opportunities of witness than of Sir George Back for observing the character of the country, 5650-5652—Abundance of limestone in the tract of territory referred to, 5658, 5659—Magnificent trees growing in the district, 5660-5662.

Very fine grazing country all the way along the Great Fish River to the Polar Sea, 5664, 5665—Witness did not travel through the Saskatchewan or Red River districts, but believes they are much less cultivable than the more northern tract south of the Athabasca Lake, 5666-5672.

As regards the Indians, the Chippewas were almost a settled people, and were independent of the fur trade, 5677—The Crees and the more southern tribes coming into contact with the Hudson's Bay Company are decreasing in number, 5677, 5678, 5683-5687—The Chipewyans and the more northern tribes are increasing, 5677, 5683—About the Athabasca Fort the beavers, which formerly were to be found in great numbers, had disappeared when witness was there, 5678-5682, 5689, 5690.

Dependent state of the Indians on the score of ammunition supplies, 5685-5689—Necessarily kind treatment of the Indians by the Company, 5691—The Chipewyan races have always steadily refused to take spirits, 5692-5694—All the southern tribes are strongly addicted to spirits, 5692.

Belief as to whales, seals, and porpoises abounding in the Polar Seas, 5696, 5697—Supply of copper, coal, and galena along the Coppermine River and the coast, 5697, 5698—The Company had not, in the slightest degree, developed the resources of the country, 5699—Great mortality among the Indians in consequence of European diseases, which up to 1836 had not been met by any supply of medical men at the Company's forts in the north, 5699-5703.

Statement to the effect that Governor Williams was very successful in farming at Cumberland House, and that he was removed thence by the Company in consequence of his anxiety to promote cultivation, 5704-5714, 5722-5724, 5733, 5734—Particulars relative to a thriving little colony, as found by witness on the approach to Cumberland House; complaint made by the colonists that the Company had ordered them to give up their farms, 5706, 5715-5744.

**King's Posts, Canada.** Reference to the section of country called the King's Posts, within the Canadian frontier, as not capable of advantageous settlement, Ross 18.

## L.

**Labrador.** The Hudson's Bay Company have establishments upon the coast of Labrador, which is, practically, unoccupied and open to any one, Sir G. Simpson 1563-1596—There are excellent fisheries all along the Labrador coast, Isbister 6082.

**Land.** See *Colonisation and Settlement*. *Conveyance of Land.* *Free Grants of Land.* *Price of Land.* *Sale of Land.* *Selkirk, Lord.* *Tenure of Land.*—Vancouver's Island, 6.

**Langford, Captain.** Comment on the manner in which Captain Langford was received and treated by the Hudson's Bay Company on his arrival in Vancouver's Island; nature of his connexion with the Puget Sound Company, Blanshard 5314-5344.

**Langley, Fort.** How far the region round about Fort Langley is cultivable or suitable for settlement, Sir G. Simpson 2059-2072, 2086-2096.

**Lefroy, Lieutenant-colonel John Henry, R.A.** (Analysis of his Evidence.)—Is Inspector-general of Army Schools, 158—Has resided twelve years in North America, and passed nearly two years in the territories of the Hudson's Bay Company east of the Rocky Mountains, 159-162, 270—Was employed in making magnetic observations for the Royal Society, 160, 211—Considers that agricultural settlement can make but little progress in the territory, 163 *et seq.*

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denuded of soil, 167. 202-208. 213. 243-245—Uncertainty and intensity of the climate adverted to as being very unfavourable to agricultural cultivation, 167. 182-189. 221. 253. 265-302.

Cultivation has been tried with some success at Fort Cumberland and other districts along the Saskatchewan, 169. 171. 246—Success, comparatively, of the cultivation, as carried on by civilised Indians at a place called the Pas, or rather the Basquia River, 171-180. 246—Facility for growing vegetables in some parts of the territory, 182. 246.—Length of the winter at the Saskatchewan, 184-188—Evidence to the effect that there has not been, and that there is not likely to be, any amelioration of the climate in the Company's territories or in Canada, in consequence of settlement and improved cultivation, 189. 220-228. 240-242.

Greater advantages in cultivating the unsettled lands of Canada than the most favourable land in Hudson's Bay territory, 190—How the population forming the Red River Settlement are composed, 191—Absence of any pressure from Canada or the United States to settle in the Company's territory, 191-193—Check to habits of industry in the Red River Settlement, in consequence of the tendency to hunt the swarms of buffaloes in the neighbourhood, 199. 200—Geological formation of Lower Canada adverted to, 207. 208.

Witness had not much opportunity of inquiring into the condition of the Indians, 210-212—The trees found on portions of the territory do not prove that such portions are fitted for agricultural purposes, 213-219—The island on which Fort Simpson, on the Mackenzie River, is built, contains some deep alluvial soil, and farming has been very successful there, 219. 246-254—Statement as to the existence of morasses between Lake Superior and Lake Nipigon and the Rainy Lake, 229-235—Enormous physical obstacles to the formation of a railway along the northern shore of Lake Superior and across the Rocky Mountains to the Pacific Ocean, 236. 237.

The natural affinities of the Red River Settlement are with the valley of the Missouri, and not with the valley of the St. Lawrence, 238. 239—Enumeration of the points where cultivation is more especially carried on, 246—Cultivation of barley at Lake La Crosse a little to the north of Cumberland House, *ib.*—Cultivation of potatoes, but not of any cereal, at Lake Athabasca, *ib.*

Milder character of the climate accordingly as the country is nearer to the Pacific, 249. 265-273—Fort Simpson is not more than about 400 miles from the Pacific; effect thereof upon the climate and upon cultivation, 249-252. 271-273. 290-294—Circumstance of there being a bed of workable coal near Edmonton, one of the more eastern forts, 255-257—Length of the winter at St. Petersburg adverted to in comparison with the winter in parts of the Hudson Bay territories, 259-264—Reference to parts of the territory as being permanently frozen underground, and as thus rendering the production of cereals exceedingly uncertain, 274-281.

In 1843 or 1844 the population of the Red River Settlement was about 5,000; 282. 353-355—At Norway House, the northern settlement of Fort Cumberland, there are not, on an average, more than twenty permanent residents, 283—In the district between the Red River and Cumberland Fort there are no inhabitants, save the traders in the Company's employment, 284—Lake Winnipeg is open for navigation from May till about the end of October, 285. 286—The St. Lawrence at Quebec is generally open from April or May till November or December, 287-289.

Doubt as to the altitude of the Rocky Mountains, 295-297—Injurious effect of the summer frosts upon the crops, 299-302—The Blackfeet Indians on the Upper Saskatchewan are very warlike, 303-305. 316. 317—Under the protection of the Company, travelling is quite safe, 306. 315—A railway might easily be made from Minnesota to the Red River, 307-309—Probable extent of the district between the Rainy Lake and the Lake of the Woods, 310—Difficulty of communication with this district from Lake Superior, 311.

Slight inducement to emigrants to settle at the Red River, &c., 312—The country is very healthy, 313—The Hudson's Bay Company have almost entirely discontinued sending spirits into the territory, and have thereby largely promoted peace among the Indians, 314. 318—There is very little crime among the whites, 314—The United States law for the prohibition of trading in spirits in their territory is constantly evaded, 319. 320—Circumstance of there being a strong tendency to settle in Minnesota, but not in the country at Lake Winnipeg, on the part of the population to the south and east, 321-325.

Deterioration and diminution of the Indian population throughout the Company's territories, in consequence of the moral effect of association with the whites, 326-331. 337-339. 351. 352—Miserable condition, physically, of the Indians in many parts through the precariousness of their means of subsistence, 329. 332—In the Canadian territory the Indians are comparatively comfortable and prosperous, 333-336—Some Chipewyan Indians, in the far north, do not come into communication with the Europeans, 340.

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*Lefroy, Lieutenant-colonel John Henry, R. A.* (Analysis of his Evidence)—continued.

Absence of settlement on either bank of the river between Rainy Lake and the Lake of Woods; this river forms part of the boundary between the United States and British territories, 342-345—Reference to attempts made to collect and settle the Indians in villages near Norway House and the Basquia River, 346-350—Testimony to the kind and considerate behaviour of the Company's traders towards the Indians, 356-360—Defective management by the Company in not always placing adequate supplies in the hands of their traders, 356-358—Domestic cattle and horses are to be found at some of the Company's forts, 361, 362—The buffaloes are in better condition in winter than in summer, 363, 364.

*Legal Opinion.* Letter from Mr. Merivale to the Attorney-general and Solicitor-general, dated 9 June 1857, enclosing certain papers, and requesting their opinion with reference to a legal decision of certain questions in dispute between Canada and the Hudson's Bay Company, *App. p.* 402, 403.

Letter in reply, dated July 1857, stating that the validity of the Company's charter and of the several claims of territorial right, of government, of exclusive trade, and taxation, are not fit subjects for legal decision, but that the question of boundary might, under certain conditions, be referred to the Judicial Committee of Privy Council, *App. p.* 403, 404.

Reference by the Committee to the opinion of the law officers of the Crown, *Rep. p.* iii.

See also *Canada*, 8. *Fur Trade*, 4. *Territorial Rights*.

*Legislation.* Probability of the necessity of an Act of Parliament in order to carry into effect the transfer of certain districts to Canada, *Rep. p.* iv.

*Leith, the late Mr.* Mr. Leith was originally sent by witness from Aberdeen to be a clerk in the service of the Company, *Right Hon. E. Ellice* 5829.

See also *Religious Instruction*.

*Liard River.* On the River Liard large crops may be raised, *Isbister* 2648, 2649—Extent of cultivation at Fort Liard and Fort Simpson, *Sir J. Richardson* 3122-3124.

*Licence to Trade.* At witness's suggestion to Lord Bathurst, an Act was passed in 1821, granting for twenty years a licence of exclusive trade to the Hudson's Bay Company, *Right Hon. E. Ellice* 5784-5788, 6015—Especial care was taken in the Act not to override the existing privileges of the Company, *ib.* 5784-5786—In 1838, when the first licence expired, a full inquiry was made on the part of the Crown, and a further licence of exclusive trade for twenty-one years was granted, *ib.* 5788, 5789—The fear of competition from American citizens was one of witness's chief reasons for recommending the Act of 1821, giving an exclusive licence to the Company, *ib.* 5866—Beyond the limits of the charter, Parliament can, if it please, refuse to re-grant the licence without at all aggrieving the Company, *ib.* 6007, 6008—There has been a re-grant of the licence, but not of the charter, *ib.* 6016.

Copy of the Crown grant to the Company, dated 30th May 1838, of the exclusive trade with the Indians in certain parts of North America for a further term of twenty-one years, and upon the surrender of a former grant, *App. p.* 414-416.

Copies or extracts of the correspondence which took place at the last renewal of the charter between the Government and the Company, together with the dates of all former charters or grants to the Company, *App. p.* 417-434.

Copy of the grant made to the Company in 1821, *App. p.* 425-427.

Information supplied by the governor of the Company, in a letter to the Lords of the Committee of Privy Council for Trade, dated 7th February 1838, relative to the claim for a renewal of the grant, *App. p.* 427-430.

Reference by the Committee to the near approach of the expiration of licence, that is, in 1859, *Rep. p.* iii—Right exercised by licence over the Indian territory, as distinct from Rupert's Land, *ib.*

See also *Colonisation and Settlement*, 3. 7. *East India Company v. Sands.* *Fur Trade*.

M.

*M'Dermot, Mr.* Reference to a statement by Mr. M'Dermot, one of the chief merchants at Red River, in deprecation of the non-formation of a settlement or colony from Lake Superior across the Rocky Mountains, *Corbett* 2714.

With regard to an extract from a letter from Mr. M'Dermot, witness's uncle, to the secretary of the Hudson's Bay Company, in which witness is spoken of as "a very imprudent young man," &c., the same may be attributed to the fact that Mr. M'Dermot is completely under the influence of the Company, *M'Laughlin* 4908-4912.

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*M'Donell, Alan.* Statement by Mr. M'Donell, as furnished to the select committee sitting in Canada, relative to the rights of the Hudson's Bay Company, the character of the soil and climate of the territory, and its fitness for settlement, *App. p.* 386-390.

*Mackenzie River.* Great impediments offered by the ice to ships getting round to the mouth of the Mackenzie, *Rae* 430-433—Barley and potatoes may be raised without risk on the Mackenzie River, *Isbister* 2563, 2564, 2647, 2648—The Mackenzie is a very fine river, and perfectly navigable, *ib.* 2592-2597.

Reference to portion of Admiral Beechy's last address to the Geographical Society, alluding, on the authority of the Secretary of the United States Navy, to the fisheries off the mouth of Mackenzie's River, as being of great value, *Isbister* 6077-6079, 6083-6087—From the Arctic Ocean to the Great Slave Lake the river is perfectly navigable, *ib.* 6090—Very valuable mineral resources of the Mackenzie River district, *ib.*

See also *Fisheries.* Iron. Tar.

*M'Laughlin, John.* (Analysis of his Evidence.)—Left the Hudson's Bay territory in 1849; had been at Red River for five years carrying on business as general trader, in conjunction with his uncle, 4710-4726—Was never in the service of the Hudson's Bay Company, but has transacted business for them, 4712, 4717, 4718, 4913-4919—Is not prepared to say that he never traded in spirits, 4727-4731.

Reference to a letter written by witness in 1850, to the settlers at Red River, encouraging them to uphold their rights of trade, independently of interference by the Hudson's Bay Company, 4732-4734—Nature of the steps taken by the Company in order to prevent traffic in furs between the Indians and the settlers, 4735-*et seq.*—Persecution on the part of the Company, in several of the prohibitory measures adopted by them previously to 1849; 4739-4750, 4762-4766.

Stoppage of the Company's supplies to the Indians in the event of their trafficking with the settlers, 4740, 4749-4754—Prevention by the Company of traffic between the Indians themselves, 4756—Instance of the Company having endeavoured through a missionary to induce the Indians not to wear furs, 4756-4761—General character of the persecution on the part of the Company in 1844 and 1845; 4762-4766.

Prohibitions placed by the Company some years ago on imports to Red River from the United States, 4766, 4791—Discouragement by the Company of an export trade in tallow, hides, and tongues, 4766—Peculiar and unavailable character of the land deeds issued by the Company, 4766, 4882-4887—As regards the prohibition of the fur trade, witness refers to several documents in corroboration of his evidence on the subject, 4766, *et. seq.*

Statement relative to a proclamation by the Governor of Assiniboia, Mr. Alexander Christie, in December 1844, requiring that letters be sent open to the post-office; official documents hereon, 4768-4783—Reference to an unsigned proclamation, dated Fort Garry, 7th December 1844, with a view to the prevention of traffic in furs, 4786-4791—The proclamations issued in the colony in December 1844, were acted upon for some years, 4788-4791—Distinction between the rule of the Company, as in London and in the colony, 4789-5001—Petition in 1848 from the American importers at Red River to the government of the district relative to the heavy duties on imports; this petition was never replied to, 4791-4795.

Explanation relative to minutes of council, dated 3d April 1845, laying down certain rules in regard to the administration of the law at Red River upon all questions of revenue, or prohibition, or license; the members of this council were all more or less connected with the Company, 4796-4808—Instance of Mr. Thörn, the recorder of the court at Red River having been summoned, and having denied the competency of the court to try him, 4808, 4986, 4987.

Particulars relative to the proceedings consequent upon a demand for over-freight from the Company by Messrs. M'Dermot & Sinclair of Red River; the governor decided that the case could not be tried in the colony, witness, on the part of Messrs. M'Dermot & Sinclair then endeavoured to have it settled before the Chamber of Commerce in Canada or the Board of Trade in London, but without effect, and eventually it was settled by the Company paying a portion of the amount demanded, 4808-4823.

Reference to an action brought by the Company against witness in consequence of some rather indelicate expressions used by him, arising out of the case of the over-freight; it was tried at the Old Bailey, and dismissed by the judge, 4823-4845—Witness subsequently took some steps against the Company for false imprisonment, but was prevented by his father from going on with the matter, 4846-4852—Circumstance of witness having been intrusted by the Company with the provision of certain supplies at Red River, subsequently to the demand for over-freight and the trial at the Old Bailey, 4853, 4913-4919.

Witness states that four or five years elapsed before the matter of the over-freight was settled; but subsequently admits, on seeing a receipt in full from M'Dermot dated 1846, that he may be inaccurate in regard to the date of settlement, 4854-4881.

Reference

## Report, 1857—continued.

*M'Laughlin, John.* (Analysis of his Evidence)—continued.

Reference to a copy of a licence to freight goods from Red River to York Factory, dated 29th July 1845, 4888-4894—Copy of a proclamation by the Governor of Red River colony, dated 7th December 1844, directing measures for the prohibition of imports for settlers engaged in the fur trade; authenticity of this copy, 4895-4898—Copy of a law passed by the Red River Council on the 19th July 1845, relative to accused persons tampering with the evidence of their relatives, &c.; belief that this law has never been acted upon, 4899-4901—Extract from a proclamation by Mr. Christie with reference to further measures for suppressing illicit trade in furs, 4902.

Explanation as to a claim made by the half-breeds upon the Hudson's Bay Company in consequence of their having been prohibited by the Americans from hunting buffalo south of the 49th parallel, 4903-4907—With regard to an extract from a letter from Mr. M'Dermot, witness's uncle, to the secretary of the Hudson's Bay Company, in which witness is spoken of as "a very imprudent young man," &c., the same may be attributed to the fact that Mr. M'Dermot is completely under the influence of the Company, 4908-4912.

Probability of the Company making use of spirits as a means of barter with the Indians; they used to do so in witness's time, 4920-4927—Belief that though an opposition trade between two Companies leads to a traffic in spirits, a general competition in trade would prevent the use of spirits as a means of barter, 4927-4930. 4941. 4948. 5090—Anticipated individual trade in furs if the trade were thrown open, 4931-4933.

Proposition that a line be drawn from Norway House along by the southern branch of the Saskatchewan to the Rocky Mountains, and that the territory south of this line be opened for trade and colonisation, 4933-4936. 4961-4964—The Hudson's Bay Company should still exercise jurisdiction in the territory north of the proposed line, but should not have an exclusive right to the fur trade, 4937-4948.

Conduct of the American fur trade without the introduction of spirits as a means of barter, at least witness never saw nor heard of any, 4941. 5077-5079—valley of the competition that the Indians can receive fair play, 4947—Fitness of the It is only by Saskatchewan for cultivation, 4949, 4950. 4960-4965—Belief as to the practicability of a considerable improvement in the route from Lake Superior to Red River, 4952-4959. 5008.

Proclamations form the only means whereby the settlers know the regulations of the Company, 4966-4968—Peculiar and objectionable nature of the paper currency in use at Red River up to 1849; 4969-4973—Circumstance of the Company having at one time threatened to withdraw the paper currency, 4970-4972—With regard to Mr. Thorn, he was extremely unpopular at Red River, and it was said that he was very partial in the administration of the law, 4974-4991.

Neither physically nor intellectually are the half-breeds at Red River inferior to the whites, 4992-4996—High position of the American half-breeds at St. Peter's, 4997-4999—Probable amount of the exports from the Hudson's Bay territory, 5000—Further statement as to the practical discouragement by the Company in the colony of exports of tallow, hides, and tongues; more liberal conduct hereon of the Company in London, 5001-5007.

American settlement at the Otter-tan Lake adverted to, 5008. 5012—Lower price charged for land by the American Government than by the Hudson's Bay Company, 5009-5011—If free grants of land were made the territory would soon be settled from Saulte St. Mary to Red River, 5013—Witness is not aware of any instance of letters having been opened by the authorities at Red River, 5015-5018—Criminal as well as civil jurisdiction exercised by Mr. Thorn; case of an Indian hanged by his decree, 5019-5029.

A higher duty was levied on goods from America than from England, but a reduced duty was taken on the former goods if the importers were not suspected of trafficking in furs, 5030-5046—Much larger imports from England than from America, 5047-5053—Witness is not aware of any instance of seizure of goods in consequence of the consignee having trafficked in furs; goods thus consigned have not been carried by the Company, 5054, 5055—Copy of the American licence to trade; prohibition therein upon traffic in spirits, 5057.

Inadequate payment now given by the Company to the Indians for skins, 5058, 5059. 5066-5068—Much larger prices given for skins by the American companies than by the Hudson's Bay Company; document hereon relative to a contract made by witness for supplying the American Fur Company, 5059. 5062-5065—Witness denies that he was trafficking illegally when as a British subject in a British colony he traded in furs, 5060-5062.

Dissatisfaction of both Indians and half-breeds in consequence of the much lower prices paid by the Hudson's Bay Company than the American companies, 5069-5071—The American Fur Company has no exclusive privileges, 5072—Any American can engage in trade in American territory under licence from the government commissioners, 5072-5076.

## Report, 1857—continued.

*M'Laughlin, John.* (Analysis of his Evidence)—continued.

As regards the warfare with the Indians in the territory of the United States, the same does not arise from any traffic in furs or abuse thereof, 5080-5084—The Indian tribes in the Hudson's Bay territory are much more peaceable than those in the United States' territory, and an opening of the country and the trade would not lead to violence, 5085-5094—Unless the country to the south be placed under the British Government it will soon be squatted over by Americans, 5096.

*M'Laughlin, Dr.* Enterprising but unsettled character and conduct of Dr. M'Laughlin; when in the Company's service he was an excellent officer, *Right Hon. E. Ellice* 5395. 6030. 6031.

*Magistrates.* See *Administration of Justice.* *Factors.*

*Malachite.* There is very valuable malachite in the mines on the Coppermine River, *Roche* 4466-4471.

*Manitobah.* There are a few settlers at Manitobah, about 50 miles from Red River, *Sir G. Simpson* 2115.

*Map.* Explanation relative to a map carefully prepared in the Crown Lands Office in Canada, showing the situation of the various posts of the Hudson's Bay Company, the geological structure, and the assumed climate, *Hon. W. H. Draper* 4227-4230.

*Markets for Produce.* The Company are the only buyers of agricultural produce, *Crofton* 3309, 3310—The Company offer the only market for the settler's produce in Vancouver's Island, and they sometimes refuse to take it, as in witness's own case, *Cooper* 3872-3877.

*Maynard, Joseph.* (Analysis of his Evidence.)—Solicitor to the Hudson's Bay Company, 4442—Refers the Committee to Parliamentary papers, in which the licences to trade which the Company received from Government in 1821 and 1838 may be found, 4443, 4444—The grant of Vancouver's Island and the correspondence on the subject has also been printed and laid before Parliament, 4445, 4446—Explanation as to the nature of the obligation by which the Company pay 300 L. a year to the Bishop of Rupert's Land, 4447-4450.

*Medicines and Medical Men.* Liberal practice of the Company as regards the provision of medical men and the supply of medicines for both Whites and Indians, *Rae* 673-677. 683. 687—There are five surgeons in the Company's service, *Sir G. Simpson* 983—Arrangements as regards medical men and the supply of medicines at Red River, &c., *Right Rev. Dr. Anderson* 4336-4339.

*Meetings of Council.* Obstacle to the council at Norway House meeting more than once a year, *Sir G. Simpson* 1352-1355—The meetings of the council of Vancouver's Island are regulated by the governor, *Cooper* 3858.

*Michipicoton Island (Lake Superior).* Reference to the mining works established on Michipicoton Island under licence from the Canadian Government, to the forcible seizure of the works by some Indians, and to the compensation subsequently given to the Indians for relinquishing their claim to the island, *Ross* 57. 74.

*Miles, John.* (Analysis of his Evidence.)—Was in Vancouver's Island for about a fortnight in 1852, and six months in 1854; 4651-4653. 4663, 4664—Considers that in soil, climate, minerals, &c., the island possesses everything essential for the formation of a great colony, 4654-4662—The distance from England and the nearness to the Californian gold fields have prevented the settlement and progress of the island, 4660.

Goodness of the soil and climate of Thompson's River on the mainland, 4666, 4667—Character of the country west of the Rocky Mountains; that is, from Fort Colville, up the Columbia River, and towards the Arrow Lake, 4668-4672—Particulars as to the passes over the Rocky Mountains, more especially that by Mount Hooker; they are all very difficult, 4673-4676. 4701-4709.

Character of the country after crossing the mountains from the west, from Jasper's House, down the Athabasca River, and to Slave Lake, 4677-4679—Route taken by witness from Jasper's House to Norway House, 4680—Varying character of the country from Edmonton, down the Saskatchewan, to Norway House, 4681-4700—Fitness of the valleys near the Saskatchewan, and of some parts of the Saskatchewan itself, for settlement, 4691-4700.

*Military Force.* Any extensive settlement at the Red River, &c., would require the protection of a military force, *Sir J. Richardson* 3082. 3133. 3143—There is no military force in Vancouver's Island, and only one constable; inexpediency thereof, *Cooper* 3597. 3634-3644. 3658-3663—Salary of the constable, *ib.* 3671—Larger military force required at Red River if directly under the Crown, *Right Hon. E. Ellice* 6034, 6035—Troops have on former occasions of excitement or of disturbance on the frontier been sent to Red

## Report, 1857—continued.

*Military Force*—continued.

Red River, *Right Hon. E. Ellice* 6034, 6050, 6051—Difficulty in maintaining a proper military force at Red River in the event of a war with the United States, *ib.* 6046.

Explanation as to a military force at Red River having recently been applied for in consequence of disturbances at Minnesota, and of the possibility of illegal conduct on the part of the half-breeds and Canadian traders, *Right Hon. E. Ellice* 6048-6055.

*Minerals.* Copper and iron exist along the eastern shore of the Lake Superior, *Sir G. Simpson* 917-919—The north shore of Lake Superior in Canada has been surveyed by Mr. Logan, and lead and copper have been found, and worked for a time; failure of the mining companies adverted to hereon, *Sir J. Richardson* 3092-3106—The geological formation north of Lake Superior is promising, *ib.* 3103, 3108, 3109—Mineral character of the country north of Lake Superior, *Crofton* 3294—Report in 1843 or 1846 by Sir William Logan on the minerals around Lake Superior, &c., *Hon. W. H. Draper* 4218, 4219.

Impression that the Company have not endeavoured to develop the mineral resources of the territory, *Right Rev. Dr. Anderson* 4300—Greater value of the territory than has been represented, in regard to mineral resources, *Roche* 4464-4471—Supply of copper, coal, and galeua along the Coppermine River and the coast, *King* 5697, 5698.

Witness has examined large quantities of minerals brought to this country from the Hudson's Bay territory, *Tennant* 5746—Minerals doubtless exist there in large quantities, but it is very questionable whether they can be worked profitably, *ib.* 5747-5751—On the American side of Lake Superior silver and copper exist more abundantly than on the British side, and the copper has been extensively worked, *ib.* 5748, 5749, 5752, 5753—Similarity between the features of the mineral districts in British North America and in Siberia, *ib.* 5756-5758—Existence and working of mines of cryolite and lead in Greenland adverted to, *ib.* 5758-5764—Probable existence of similar minerals in parts of British North America as have been found in other countries of a like formation, *ib.* 5764-5767—Remarks on certain minerals found in Australia, *ib.* 5773, 5774.

Quotation of remarks from Sir John Richardson's books as to the probable value of the minerals, *Isbister* 6090.

See also Coal. Copper. Gold. Iron. Malachite. Plumbago. Tar.

*Minnesota.* Circumstance of there having been a strong tendency to settle in Minnesota, but not in the country at Lake Winnipeg, on the part of the population to the south and east, *Lefroy* 321-325—Circumstance of Minnesota having been partly settled before all Wisconsin was settled, *Rae* 456-470—Less rigorous climate at Minnesota than Red River, *Sir G. Simpson* 837—Rapid and immense increase of the population in Minnesota, *Kernaghan* 2237—Greater facilities for the spread of colonisation in Minnesota than at the Red River, *Crofton* 3250-3255—Emigration from Canada to Minnesota adverted to, *Hon. W. H. Draper* 4068, 4069—The inducements to settlement in Minnesota do not apply to settlement at the Red River, &c., *Right Hon. E. Ellice* 5845-5847, 5911-5914, 6039-6041.

*Missionaries and Missionary Settlements.* Circumstance of witness having recommended a missionary settlement between the Lake of the Woods and the Rainy Lake, *Sir G. Simpson* 846-848—Particulars as to the religious or missionary establishments in the territory, and the payments made by the Company to them severally, *ib.* 1100-1102—Reference to a charge made by the Company for the passage and travelling expenses of two missionaries, *ib.* 1724-1728.

Witness was, for about three years (1852-55), in charge of the Grand Rapids district, the largest settlement on the Red River, *Corbett* 2651-2661—Acted as a missionary of the Colonial Church and School Society, and did not receive any payment from the Hudson's Bay Company, *ib.* 2662-2665—Statement as to the Company having for several years prohibited the formation of a missionary station and settlement at Portage-la-Prairie, on the Assiniboine River, *ib.* 2666-2680—Pressure under which the Company have recently stopped their opposition to a missionary station at Portage-la-Prairie, *ib.* 2680, 2681—Measures, equivalent to a prohibition, taken by the Company with reference to the missionary station at Headingley, on the Assiniboine River, *ib.* 2682-2688—Restrictions placed upon the proceedings of missionaries at Fort Alexander, *ib.* 2692, 2693—Circumstance of agents of the Company having more than once stated that if missionaries and missionary settlements increase, factors and fur-trading posts must decrease, *ib.* 2694-2703.

Facilities afforded to the missionaries by the Company, *Sir J. Richardson* 2965, 2986, 2987—At Norway House the missionaries were very useful to the Indians, *Crofton* 3435-3437—The missionaries are paid by the Missionary Society, but have also some allowance from the Company, *ib.* 3439.

There are nineteen clergymen of the Church of England, besides witness, located in Rupert's Land, all furnished by different societies, except the one who is chaplain to the Company, 0.24—Sess. 2.

*Missionaries and Missionary Settlements—continued.*

Company, *Right Rev. Dr. Anderson* 4235-4237—The missionaries are very devoted and faithful men, *Right Rev. Dr. Anderson* 4251; *Caldwell* 5575, 5576—They are not subject to any undue influence on the part of the Hudson's Bay Company, *Right Rev. Dr. Anderson* 4252—There are two native Indian clergymen, and one clergyman partly of Indian extraction, who are very useful, *ib.* 4253, 4254, 4423, 4424.

Explanation as to the Company having opposed the settlement of Portage la Prairie, on the Assiniboine River, *Right Rev. Dr. Anderson* 4349-4355, 4430—Explanation as to the opposition of the Company to the formation of a missionary settlement at Headingley, *ib.* 4431-4433—The Company imagined that the expenses of government would be increased by a settlement at Headingley, *ib.* 4432, 4433.

See also *Church Missionary Society*.

*Monopoly.* See *Canada*, 2. *Colonisation and Settlement*, 3. *Fur Trade.* *Indians*, 6, 7. *Licence to Trade.*

*Moose Fort.* Unproductive character of the crops at Moose Fort, *Sir G. Simpson* 748—Bar to cultivation at Moose Fort, on account of the climate, *Right Rev. Dr. Anderson* 4257-4261—Route from Lake Winnipeg to Moose; there is not much timber by the way, *ib.* 4307-4320.

Regulation restricting the issue of spirituous liquor from the Moose factory, *App.* p. 368.

N.

*Nascopie Fort.* Statement as to the situation of Fort Nascopie, or rather of the outpost of that name; whether on the Labrador Coast or not it belongs to the Hudson's Bay Company, *Sir G. Simpson* 1563-1596.—See also *Indians*, 2.

*Native Population.* See *Indians*.

*Navigation of the Lakes and Rivers.* It is about 500 miles of navigation from the southern part of Lake Winnipeg to Fort William or Lake Superior, *Sir G. Simpson* 793-795—Material obstruction to the navigation of the river between Rainy Lake and Fort William, *ib.* 796-801—Impediments to the navigation from York Factory to Lake Winnipeg, *ib.* 842-845—Obstructions, in the shape of shoals and rapids, to the navigation of the Assiniboine branch of the Red River, *ib.* 884-887—Obstacles to an improvement of the route from York Factory or from Lake Superior to Red River, *ib.* 1309-1317.

Impediments to a steam-boat navigation of the river running from Rainy Lake to the Lake of Woods, and from thence to Lake Winnipeg, *Sir G. Simpson* 1431-1445—The navigation from Rainy Lake to Fort William, a distance of 300 miles, is fit only for canoes, *ib.* 1444, 1445—Adequacy of canoe navigation for conducting the trade between Canada and the Red River, &c., *ib.* 2053-2055—There are almost insuperable impediments to the navigation for 300 miles out of the 500 miles from Assiniboia to the head of Lake Superior, *ib.* 2120-2125.

Circumstance of its being contemplated by some Americans to make a practicable navigation between the Lower Red River and Lake Superior, *via* Lake Winnipeg, *Kernaghan* 2147, 2148—Contemplated river or canal communication between Lakes Winnipeg and Superior further adverted to, *ib.* 2182-2187, 2222, 2223.

Doubt as to how far the Red River may be navigable for steamers, *Sir J. Richardson* 3074—Greater difficulties of navigation between Lake Superior and Red River than formerly existed between Kingston and Montreal, *Crofton* 3346-3365—The travelling of witness on three different exploring expeditions was all by water, in canoes or boats, *Sir G. Back* 3458-3461—Considerable expense of removing the obstructions to the navigation between Fort York and Red River, *Caldwell* 5622, 5623.

See also *Red River Settlement*, 3. *Superior, Lake.*

*Nipigan Lake.* Character of the country between Fort William and Lake Nipigan, and between Lake Nipigan and Long Lake, &c., *Rae* 578-580, 600, 608-617, 629-631.

*North-West Company.* Reference to an attempt being made at Toronto to get up another North-west Company, and to form a colonisation to the west of Lake Superior; inexpediency thereof, *Ross* 73, 74.

During the baneful contest between the Hudson's Bay and the North-western Companies spirits were bartered on both sides, the Indians were demoralized, and there were continual riots and breaches of the peace, *Sir G. Simpson* 1648-1656—During the contest between the Companies scenes shocking to humanity occurred, *Sir J. Richardson* 2936—The servants of the North-west Company acted very kindly towards the first expedition to which witness was attached, *Sir Geo. Back* 3515.

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*North-West Company*—continued.

In 1805, witness became connected with the North-west Company and the X. Y. Company, the two Canadian companies, *Right Hon. E. Ellice* 5776, 5777—Subsequent amalgamation, in 1820, of these companies with the Hudson's Bay Company, *ib.* 5784.

See also *Fur Trade*, 1. 2.

*Norway House.* At Norway House, the northern settlement of Fort Cumberland, there are not on an average more than twenty permanent residents, *Lefroy* 283—At Norway House corn may be grown, but the season closes sooner than at Red River, *Crofton* 3316.

Route taken by witness from Jasper's House to Norway House, *Miles* 4680—Varying character of the country from Edmonton down the Saskatchewan to Norway House, *ib.* 4681-4700.

See also *Boundaries*, 2.

## O.

*Oil.* Probable quantity of oil brought from Hudson's Bay to this country, *Herd* 4629-4635—See also *Fisheries*.

*Oregon.* Oregon was settled mainly from the sea, *Ross* 86-90. 121, 122—Explanation as to the Company having certain possessory rights in Oregon, *Sir G. Simpson* 1108-1124. 1286-1288. 1344-1351—The Company brought about 5,000 acres of land into cultivation in Oregon, *ib.* 1120-1122—Origin of the settlement of Oregon adverted to, *Blanshard* 5270-5274.

Settlement and cultivation were being largely carried out by the Company in Oregon, west of the Rocky Mountains before the settlement of the boundaries with America, *Right Hon. E. Ellice*, 5849. 5931, 5932. 5934—Claim now being prosecuted before Congress by the Hudson's Bay Company, and Puget Sound Company for indemnity for the surrender of possessory rights in Oregon, north of the Columbia, *ib.* 5849—Opinions of eminent Americans as to the title of the Companies to the possessory rights in question, *ib.*

*Ottawa River.* Reference to the valley of the Ottawa, and the extent to which it has been surveyed and settled, *Ross* 106-115—It is about 800 miles from the western portion of the Ottawa to the head of Lake Superior, near the country where a railway might be run, *ib.* 149.

Remarks on the increase of settlement on the banks of the Ottawa, nearly up to Lake Nipissing, notwithstanding the former difficulties of communication, *Hon. W. H. Draper* 4074. 4149-4156—Great improvement already made, and further improvement contemplated in the navigation of the Ottawa River, *ib.* 4074. 4149-4153.

*Ottawa and Lake Huron Railway.* Delay in the formation of the Ottawa and Lake Huron Railway adverted to, *Hon. W. H. Draper* 4193-4195.

*Otter Tail Lake.* American settlement at the Otter-tail Lake, about 150 miles north of St. Paul's, *Corbett* 2801-2804; *McLaughlin* 5008. 5012.

*Outfits of Indian Hunters.* System of the Company in regard to outfits to the Indian hunters, *Sir G. Simpson* 1007. 1063-1065. 1125-1128.

## P.

*Peace.* Importance of the maintenance of law and order in the Hudson's Bay territory, adverted to by the Committee, *Rep.* p. iv.

See also *Fur Trade*, 1. 2. *Government by the Company*, 2. *Indians*, 6.

*Peace River.* A considerable population might produce means of subsistence as high as Peace River, upon the alluvial points and the skirts of the prairie land, *Sir J. Richardson* 2902. 2913. 2914—Upon the alluvial points of Peace River grain might be cultivated, but the wolves are a bar to pasturing sheep on the prairie, *ib.* 3125-3127.

*Péguis.* Information relative to Péguis, chief of the Salteaux Indians, who has lately sent a petition to the House of Commons, *Caldwell* 5589-5591.

Letter from the secretary of the Aborigines Protection Society to Mr. Labouchere, dated 7 June 1857, relative to an enclosed letter received by the Society from Péguis, chief of the Salteaux Tribe at Red River, *App.* p. 444. 445—Statement that the letter from Péguis was written by his son, *ib.* 444.



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*Peguis*—continued.

Copy of the letter from Peguis; complaint therein that the lands of himself and his tribe have been taken away by Lord Selkirk and others without the promised compensation; other complaints in the letter against the Hudson's Bay Company, *App. p. 445, 446.*

Testimonials from Lord Selkirk and Sir G. Simpson as to the friendly disposition always displayed by Peguis towards the Company and their servants, *App. p. 446.*

Settlement by Sir G. Simpson, in January 1835, of an annuity of 5 *l.* upon Peguis, *App. p. 446.*

*Pelly, Sir J. M.* Letter from Sir John Pelly to Earl Grey, dated 9 March 1850, denying the accuracy of a complaint that the Hudson's Bay Company furnish large quantities of spirits to the Indians on the north-west frontier of the United States, *App. p. 370, 371.*

*Pembina.* There is an American settlement at Pembina, and a small garrison and fur post, *Corbett 2792-2798*—Pembina is very near the boundary line, *ib. 2799, 2800*—There is every facility for settlement on the American side of the frontier, *ib. 2801.*

*Pemmican.* Pemmican, which is composed of buffalo meat and tallow, is the main portable food of the Company's servants, *Sir G. Simpson 1855, 1856, 1859*—From 2,000 to 3,000 cwt. are made every year, *ib. 1857*—Price given by the Company to the Indians for pemmican, *Caldwell 5606, 5607.*

*Pensioners.* Particulars as to the enrolled pensioners, partly settlers and partly troops, with whom witness went out to Red River in 1848; some of them are still there, *Caldwell 5394-5406, 5564, 5565*—Promise of free grants of land under which the pensioners agreed to go out as emigrants, *ib. 5407-5409, 5556*—The pensioners relieved the garrison at Red River, *ib. 5553-5555*—It was found, on the arrival of the pensioners, that the Company had not sufficient cultivable land to give them, and so to prevent dissatisfaction, they were compensated in sums of money, *ib. 5557-5563.*

*Petitions.* See *Red River Settlement, 8.* *Toronto Board of Trade.*

*Plumbago.* Good quality of the plumbago found near Fort Chipewyan, *Sir J. Richardson 3083-3085.*

*Population.* Witness delivers in a paper containing a detail of the population in the Company's territories, according to a census or estimate made last year, *Sir G. Simpson 1471-1473; and App. p. 365-367*—Estimate of 158,000, including whites and half-breeds, as the total number of souls in the Hudson's Bay territory, *App. p. 367.*

See also *Census. Indians, 1.*

*Portages.* See *Red River Settlement, 3.*

*Portisla Prairie.* There is a small settlement of whites at Portisla Prairie, about sixty miles from Red River; objection made by the Company to the formation of this settlement, *Sir G. Simpson 1272-1282, 1359-1362.*

*Possessory Rights.* See *Oregon. Territorial Rights.*

*Post-Office, Red River.* Consideration of a charge founded on a letter written in December 1844 by Mr. R. Lane, then a clerk at Red River, relative to new regulations requiring letters to be sent open for official perusal before posting; any such regulations were probably made by the Government of Assiniboia, and were most likely disallowed by the Home Government, *Sir G. Simpson 1895-1920.*

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**Presbyterian Church.** There is a Presbyterian church at Red River, *Right Rev. Dr. Anderson* 4280.

**Price of Land.** Practice in regard to the purchase of land from the Company; for 5 s. or 7 s. 6 d. an acre leases are granted for 999 years with restrictions merely upon trading in furs, *Sir G. Simpson* 1199-1226. 1285-1291—Evidence to the effect that the price of 5 s. or 7 s. 6 d. an acre for land is in the main merely nominal, inasmuch as but a very small proportion of the settlers or squatters make any payment for the land, *ib.* 1762-1785. 1797-1832. 1861-1870—Price of land at Red River, *Isbister* 2519—Lower price charged for land by the American Government than by the Hudson's Bay Company, *M'Laughlin* 5009-5011—Nature of the demand for land in the Company's territory, *Caldwell* 5569-5571—See also *Headingley*. *Vancouver's Island*, 6.

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As regards the Puget Sound Company, its affairs were so much identified with those of the Hudson's Bay Company that witness could never distinguish between the two, *Blanshard* 5289, 5290. 5313, 5314. 5342-5357—Impression that Mr. Douglas acted as manager for the Puget Sound Company, *ib.* 5340-5346—Witness understood that many settlers and labourers were introduced by the Hudson's Bay Company, though in fact they may have been sent by the Puget Sound Company, *ib.* 5347-5357.

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**Queen Charlotte's Island.** Queen Charlotte's Island is less suitable than Vancouver's Island for settlement, *Cooper* 3749-3752—Specimens of gold have been brought from Queen's Charlotte's Island, *Tennant* 5755.

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*Rae, Sir John.* (Analysis of his Evidence.)—Entered the service of the Hudson's Bay Company in 1833; passed ten years at Moose Factory, one year on the Mackenzie River, and one season at York Factory, and has been employed about eight years in Arctic service, 365-367. 512-514—Believes that the country about the Saskatchewan is quite capable of cultivation, 368-371, 449—Obstacles to any settlement of the Saskatchewan until the country gradually settles up to it, and communication is afforded for dealing with the produce, 368-371—Witness left the service of the Company last year, 372-374.

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Communications are being made by railway from Chicago to several points, *Kernaghan* 2181—If there were a railroad to Red River it would probably bring settlers, though not at all to the extent that settlers have gone to Illinois, *Sir J. Richardson* 3071-3078-3081—In proposing that the Rocky Mountains should limit the Carradem boundaries, witness make the reservation of a right to extend to the Pacific any future railway over the mountains, *Hon. W. H. Draper* 4102. 4104. 4173-4175.

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*Rainy Lake.* Between Rainy Lake and the Lake of the Woods there is some country capable of cultivation, *Lefroy* 166. 190. 345—Probable extent of the district between the Rainy Lake and the Lake of the Woods, *ib.* 310—Difficulty of communication with this district from Lake Superior, *ib.* 311—Absence of settlement on either bank of the river between Rainy Lake and the Lake of the Woods; this river forms part of the boundary between the United States and the British territories, *ib.* 342-345.

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On the banks of Rainy Lake there are many points which are fit for settlement and might produce grain, *Sir J. Richardson* 2909, 2910. 3004-3008—The country by Lac la Pluie and the Lake of the Woods is very beautiful, *Crofton* 3270.

*Rapids Settlement.* Witness has not heard of any attempt by the Company to establish a settlement near the Rapids, *Right Rev. Dr. Anderson* 4441—Objection raised by the Governor of Rupert's Land to the formation of an Indian settlement at the Rapids, *Caldwell* 5585. 5587.

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## RED RIVER SETTLEMENT:

1. *Origin of the Settlement; its Expense to the Company.*
2. *Progress of the Settlement; Statistics on the Subject.*
3. *Means of Communication considered; Difficulties hereon.*
4. *Character of the Soil and Cultivation.*
5. *Climate.*
6. *Population; how composed.*
7. *Trade with the United States.*
8. *Discontent among the Settlers; Petitions by them.*
9. *Annexation to Canada, or Formation into an Independent Colony, considered.*
10. *Suggestions by the Committee.*

1. *Origin of the Settlement; its Expense to the Company:*

Grants by the Company of a large tract of territory on the Red River to Lord Selkirk, in June 1811; reference to the deed hereon defining the territory, *Right Hon. E. Ellice*, 5779-5783—Expensive and unsuccessful character of the Red River Settlement; it was established by Lord Selkirk, and not by the Hudson's Bay Company, *ib.* 5839, 5840, 5931.—The Company never voluntarily undertook colonisation at Red River, *ib.* 5931—Explanation relative to a sum of 84,111 l. as the balance expended by the Company in the purchase and support of the Red River Colony, *ib.* 5985-5991.

2. *Progress of the Settlement; Statistics on the Subject:*

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Reference to a paper (*App. p.* 381-385) drawn up in March last by Mr. Gunn, of Red River, containing statistics of the colony, *Roche* 4544-4548.

Statistical account of the colony, taken in May 1856, and showing the progress of the colony since 1849, *App. p.* 363, 364—Statistics of the population, *ib.* 363—Statistics as to, and average value of, dwellings, live stock, implements, and machinery, *ib.* 363, 364—Statistics of the courts of justice at Red River, and of the cases tried thereat, *ib.* 364

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3. *Means of Communication considered; Difficulties hereon:*

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Of the three routes to Red River, that is, by York Factory, St. Peter's, or Lake Superior, the latter is by far the shortest, and very practicable, *Isbister* 2529-2533—Practicability of improving the route from Red River to York Factory, *Corbett* 2740, 2742-2746—The difficulties in the route between Red River and Lake Superior are by no means insurmountable, *ib.* 2746.

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## RED RIVER SETTLEMENT—continued.

## 3. Means of Communication considered; Difficulties hereon—continued.

Reference to the route *via* Fort William to Lake Winnipeg; the North-western Company necessarily got their supplies by Fort William, *Sir J. Richardson* 3042-3052—Obstacles to an inexpensive communication with Red River by Fort William, *ib.* 3054-3060. 3136-3138—The easiest but not the safest route to Red River is by St. Paul's question as to this route being made more advantageous, *ib.* 3139-3141.

Description of the journey of the troops commanded by witness in 1846-48, and mode of conveyance of the guns from Fort York to Red River, *Crofton* 3165-3176. 3391-3393—Witness returned from the territory *via* Lake Superior and Canada; this route was decidedly easy, with the exception of the portages, *ib.* 3181-3189—Particulars as to the route from Red River to Saulte de Ste. Marie, as traversed by witness in 1847; the total distance is about 1,126 miles, and may be performed in thirty-eight days, *ib.* 3255-3267—Difficulties in the route from Red River to Saulte de Ste. Marie, more especially as regards the portages, which are very numerous, *ib.* 3262-3268. 3284-3293—There is every facility for forming a communication across the plain between the Red River and the Rocky Mountains, *ib.* 3271-3273—The chief difficulty to an overland communication from Lake Superior to Red River would arise from the swamps, *ib.* 3283. 3293. 3373-3381—Desire among the Scotch settlers at Red River for an improved communication with Canada, *ib.* 3295-3297.

Between water and road a good route might be made between Red River and Lake Superior, but an uninterrupted road or river communication is almost impracticable, *Crofton* 3366-3388—The route from Fort William to Red River is better than from Fort York, *ib.* 3389, 3390—Distance respectively between Fort William and Red River, and between Fort William and Lake Winnipeg, *ib.* 3394-3397. 3406-3409—List of portages occurring between Fort York and Red River; from which the navigation is free from rapids to Lower Fort Garry, on the Red River, *ib.* 3396—The route to Red River, &c., by Fort York, is less difficult than the Fort William, or any other route, *Sir G. Back* 3480-3486.

The natural outlet of the Red River Settlement being through American territory, the greater reason exists for forming an outlet *via* the Lakes and Canada, *Hon. W. H. Draper* 4063. 4172. 4220—Grounds for concluding that the communication through Canada to the Red River is very feasible, and that the Canada route is far preferable to the route by York Factory, *ib.* 4074. 4076—Facility at present for communication between Canada or England and the western shore of Lake Superior, *ib.* 4074. 4152. 4153. 4221-4224—Circumstance of the French some 100 years ago, and, more recently, the North-west Company having used the route from Fort William to Red River for the transmission of goods, *ib.* 4074. 4157-4164—At present all the trade of Red River goes by Hudson's Bay and the United States, *ib.* 4140—Facilities of communication between Canada and Red River sufficient for the conveyance of troops, *ib.* 4141-4145—Natural and only course by which the trade of the Red River can pass through Canada so as to avoid transshipment, *ib.* 4171, 4172—The expense of communication between Canada and Red River should fall upon the province, *ib.* 4192.

Belief as to the practicability of a considerable improvement in the route from Lake Superior to Red River, *M<sup>r</sup> Laughlin* 4952-4959. 5008—The Company have done nothing to improve the route to Red River; it is not their object, *ib.* 4958.

Great difficulties of the route from York Factory to Red River, as travelled by witness and his family when going and returning, *Caldwell* 5376. 5615-5623—There are 33 portages on the route from Fort York to Red River, *ib.* 5621.

Immense obstacles to a proper means of communication between Canada or Lake Superior and Red River, *Right Hon. E. Ellice* 5838. 5908. 5914-5921—The natural communication with the Red River is evidently through America, *ib.* 5838. 5908. 6043, 6044—As regards communication with Red River, means of getting as far as Lake Superior by vessels have existed for years, *ib.* 5916-5920—Further reference to the difficulties of communication with Red River; remarks on the circumstance of the Canadian Government having voted 5,000 *l.* for improving the route by Lake Winnipeg and the Lake of the Woods, *ib.* 5959-5960.

Passages in the statements laid by Messrs. M'Donell, Gladman, and Dawson, before the select committee in Canada relative to the means of communication with the Red River colony and other places, *App. p.* 388-393. 399, 400.

## 4. Character of the Soil and Cultivation:

The country round the Red River is said to be very good land, and very suitable for settlement, *Ross* 12—Favourable character of the land for cultivation, *Lefroy* 164, 165. 194-204. 246. 253; *Corbett* 2712-2716—Excellent character of the soil at Red River, *Rae* 453-455.

Uncertainty of the crops at Red River Settlement; reference hereon to the necessary importation of corn some years ago, *Sir G. Simpson* 719-723. 802-810. 875. 2117-0.24—Sess. 2.

Report, 1857—continued.

## RED RIVER SETTLEMENT—continued.

## 4. Character of the Soil and Cultivation—continued.

2119—Nature of the soil; about a mile from the banks the alluvial soil almost ceases, and cultivation is impracticable, *Sir J. Simpson* 722. 818-827—Reference to the waste of manure at the settlement, *ib.* 849, 850—The crops are usually taken in August, before the winter sets in, *ib.* 960-962—The land from about a mile beyond the banks of the river has been experimented upon, and has proved not good, *ib.* 1794-1796—The soil is alluvial, *Corbett* 2723—The Red River district is at least 1,000 feet above the level of the sea, which altitude is a great element against cultivation, *Sir J. Richardson* 3081.

Excellent crops grown at Red River, *Crofton* 3201-3204; *Right Rev. Dr. Anderson* 4257. 4260—The soil is peculiarly fit for agriculture, and might maintain a very large colony, *Crofton* 3205-3210—Swampy character of the country about Red River, *Caldwell* 5562, 5563—Capability of cultivation sufficient to support a considerable population, *ib.* 5566—Barren and marshy character of the soil except on the banks of the river, *Right Hon. E. Ellice* 5847. 6037.

## 5. Climate:

At Red River the winter lasts for five and a half months, *Sir G. Simpson* 744—Provable amelioration of the climate in consequence of the cultivation, *Isbister* 2577—Remarks relative to the climate of the Red River colony; it is about the same as that of Upper Canada, *Crofton* 3190-3204—Unfavourable character of the climate, *Right Hon. E. Ellice* 5847.

Statistics, prepared by Mr. D. Gunn, of the progress of the seasons and state of the weather at Red River colony, from 1 June 1855 to 31 May 1856, *App. p.* 384, 385.

## 6. Population; how composed:

How the population forming the Red River Settlement is composed, *Lefroy* 191—In 1843 or 1844 the population of the settlement was about 5,000, *ib.* 282. 353-355—The population at Red River is now about 8,000, including Indians, *Sir G. Simpson* 832-836—Reference to a paper containing an account of the Red River population; the total of whites and Indians is 8,000, *ib.* 1461-1470—General character of the Red River Indians and settlers; about two-thirds are hunters, *Sir J. Richardson* 2962. 2973-2975. 2984, 2985.

Statistical account of the population respectively in 1849 and 1856, *App. p.* 363.

## 7. Trade with the United States:

Increase in the general trade of Red River with the United States, *Sir G. Simpson* 1695-1697—Circumstance of 500 waggons of goods having gone from the Red River Settlement to St. Paul's or St. Anthony's last season, returning with goods of American or British manufacture, *Kernaghan* 2134. 2156, 2157. 2170—Complaint in regard to the duties in America on the British goods taken back to Red River; such duties would have been avoided by a direct route to the settlement through Canada, *ib.* 2135 *et seq.*—Circumstance of its having been rumoured that the Company were anxious to stop the Red River traders from taking their goods to St. Paul's, *ib.* 2235, 2236—Fiscal obstacles to the extension of trade between the Red River and the United States, *Isbister* 2599-2606.

## 8. Discontent among the Settlers; Petitions by them:

Belief that but for trade agitators the colonists at Red River would be perfectly satisfied with the government of the company, *Sir G. Simpson* 1319, 1320.

Reference to a petition from the Red River settlers to the Colonial Office, presented by witness some years ago; belief as to the accuracy of the statements urged at the time in support of the petition, *Isbister* 2459-2467—Dissatisfaction of the settlers with the government of the Company; petition by the settlers to the American Government adverted to hereon, *ib.* 2552-2559.

Statement relative to a report by witness, on his return to England in 1848, upon certain complaints made by settlers at Red River; data on which he answered nine or ten questions with reference to Mr. Isbister's memorial, *Crofton* 3412-3430.

Explanation relative to a petition from Red River, signed by about 600 persons, and recently presented to the Canadian Parliament, complaining of the rule and monopoly of the Hudson's Bay Company, *Roche* 4548-4558. 4561—Statement by the petitioners that they have represented their grievances to the Imperial Government without effect, *ib.* 4556, 4557. 4562-4564.

Witness left the Hudson's Bay Territory in 1840; had been at Red River for five years, carrying on business as a general trader, in conjunction with his uncle, *M'Laghlin* 4710-4726—Was never in the service of the Hudson's Bay Company, but has transacted business for them, *ib.* 4712. 4717, 4718. 4913-4919—Reference to a letter written by

witness

## RED RIVER SETTLEMENT—continued.

## 8. Discontent among the Settlers; Petitions by them—continued.

witness, in 1850, to the settlers at Red River, encouraging them to uphold their rights of trade, independently of interference by the Hudson's Bay Company, *M. Laughlin* 4732-4734.

Tranquil condition of the settlement in 1855, *Caldwell* 5362—Considerable excitement in the colony, more especially in 1849, on account of the Company's monopoly of trade on the one hand, and on the other hand the attempts of the half-breeds to carry on an illicit trade, *ib.* 5528-5552. 5593-5599.

Witness lays before the Committee (*App. p.* 437-439) a petition, signed by some hundreds of the inhabitants of Red River, and presented to the Legislative Assembly of Canada; it has been forwarded to witness by Mr. Macbeth, a member of the Assembly, *Isbister* 6094-6098.

Petition signed by Roderick Kennedy and 574 others, inhabitants and natives of the settlement, to the Legislative Assembly of Canada, complaining of the rule of the Hudson's Bay Company, and praying that measures be taken for extending to the settlement the protection of the Canadian Government, laws, and institutions, *App. p.* 437-439.

## 9. Annexation to Canada, or Formation into an independent Colony considered:

Obstacle to the settlement being governed or administered by the Canadian Government, *Ross* 17. 124-143—Inexpediency of forming the settlement into a separate territory for self-government, *ib.* 135-141—The natural affinities of the settlement are with the valley of the Missouri, and not with the valley of the St. Lawrence, *Lefroy* 238, 239.

Advantage of aggregating the Red River to Canada, rather than of forming it into a separate government and colony, *Isbister* 2534-2549—Increased value of property at Red River, if the settlement were annexed to Canada, *ib.* 2625-2627.

Reference to a report by Mr. Coltman in 1819, upon the government of the Red River Settlement; suggestion therein for a transfer of the Government from the hands of the Company, *Hon. W. H. Draper* 4080. 4178.

Belief that terms for a transfer of the colony to Canada might easily be arranged, *Right Hon. E. Ellice* 5839—Preliminary steps necessary, if this country were to establish a colony at Red River; means of government, a military force, settlers, and communications must be found, *ib.* 6033-6046—Sundry obstacles and considerable expense which would attend the formation of an independent British colony at the Red River, *ib.*

## 10. Suggestions by the Committee:

The Committee consider that the Red River district is among those likely to be desired by Canada for early occupation, *Rep. p.* iv.

In case Canada should not be willing, at a very early period, to undertake the government of the Red River district, it may be proper to consider whether some temporary provision for its administration may not be advisable, *Rep. p.* iv.

See also Administration of Justice. Artisans. Banking Accommodation. Canada, 4. 9, 10. Colonisation and Settlement. Conveyance of Land. Currency. Distillery, Red River. Doll, Mr. Duties on Imports. Education. Emigration. Exports and Imports. Floods. Freights. Fuel. Government by the Company. Half-breeds. Indians, 5. Military Force. Navigation of the Lakes and Rivers. Pensioners. Post Office, Red River. Roads. Selkirk, Lord. Thorn, Adam. Timber. United States.

*Reliance, Fort.* Exceeding coldness of the climate at Fort Reliance; the soil as well as the climate renders cultivation impracticable, *Sir G. Back* 3471-3477. 3499-3501.

*Religious Instruction.* The chaplains in the territory are paid by the religious societies to which they belong as well as by the Company; their keeping a school depends upon the instructions of the society and not of the Company, *Sir G. Simpson* 1250-1254.

Reference to and explanation of the bequest of 10,000 l. by Mr. Leith; it was left for the purpose of extending the Protestant religion in and amongst the native aboriginal Indians of Rupert's Land, *Sir G. Simpson* 1332-1343. 1449-1459.

Authority for the statement that, practically, the Company do not promote religious instruction, and that their donations to missionaries are given with the view that the latter may shut their eyes to the obstructions offered by the Company to the settlement of Indians around the missionaries, *Isbister* 2485-2499. 2550, 2551.

Regulations of the Company in regard to religious worship on the sabbath, *App. p.* 368.

See also Christianity. Church Missionary Society. Churches. Education. Missionaries and Missionary Stations. Vancouver's Island, 10.



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**Representative Government.** The settlers at Red River consider that they should have a voice in representing their grievances, or in fact a representative government, Corbett 2809, 2810. See also *Vancouver's Island*, 19, 20.

**Richardson, Sir John, C.B.** (Analysis of his Evidence:—) Has made three several journeys through the territories of the Hudson's Bay Company, that is in 1819, in 1825 and in 1848; has passed altogether about seven years in the country, 2889, 2890, 2893-2897—Is not in any way connected with the Hudson's Bay Company, 2891, 2892—General description of the country, to the effect that, save in a few places and to a slight extent, it is not capable of cultivation or fit for settlement, 2898 *et seq.*

In some favourable places wheat may be grown up to the 58th parallel of latitude, 2898—Division of the country east of the Rocky Mountains into three districts, all more or less unfit for cultivation, 2899-2903—There is a sloping prairie country from 600 to 800 miles wide, which is mostly grass land; but the soil is sandy and is not rich enough to produce grain, 2899, 2901, 2913, 2914.

On the banks of the Saskatchewan the soil is not cultivable save at a few points, and the district about the Pas is intersected with lakes, and is frequently flooded, 2901, 2911-2913—The north-eastern portion of the continent does not contain any wood, and will not produce grain under any circumstances, 2901—A considerable population might produce means of subsistence as high as Peace River upon the alluvial points and the skirts of the prairie land, 2902, 2913, 2914.

Until the settlement of Canada has advanced to the Red River and roads have been opened, it is very unlikely that any settlement will take place beyond the Red River, 2902, 3033—The limestone in the prairie contains a large quantity of magnesia and is not fertile, 2903—Circumstance of cultivation and settlement at Fort Cumberland having advanced only in a very small degree, 2903, 3010-3023—The greater part of the country on the north shore of Lake Superior is rocky and entirely destitute of soil, 2904-2906.

Between the west-end of Lake Superior and Lake Winnipeg, after passing Dog Lake, the land has no particular capabilities for settlement, 2907, 2908—On the banks of Rainy Lake there are many points which are fit for settlement and might produce grain, 2909, 2910, 3004-3008—Inferior character of the coal on the Saskatchewan and Mackenzie, 2915, 2916—There is much wood along the banks of the Saskatchewan, but out on the prairie there is no timber whatever, 2917, 2918.

Almost everywhere north of fifty-seven-degrees of latitude a portion of the ground is permanently frozen, 2921, 2922—The temperature is milder on the west than on the east of the Rocky Mountains, but is less mild than the temperature of Europe in similar latitudes, 2922, 2928-2933—Greater depth of frost according as the timber is cleared and the country becomes open, 2923-2925—At Fort Franklin, on the Great Bear Lake, the winter may be said to last for ten months, 2926, 2927—Throughout a great part of the country the trees are frozen to the heart, 2934, 2935.

Illustration of the beneficial influence of the Hudson's Bay Company over the Indians since witness first visited the country in 1819; 2936—Marked improvement in the Indians during the last thirty years, 2936, 2963—Good wages received by the Indians in the service of the whites; now paid, 2636-2941—Dissatisfaction among some of the half castes at Red River with the monopoly of the fur trade, 2942, 3128—Obstacles to the administration or government by Canada of the Hudson's Bay Territories, 2943-2945, 2956-2961.

Anticipated interruption to the present peaceful state of the country if it were annexed to Canada and the fur trade thrown open, 2945, 2960, 2961—At Fort Franklin and other places witness has necessarily lived for several months on fish, and frequently passed two or three days without any food, 2946-2955—Provided means be taken to preserve order and to prevent the abuse of spirituous liquors, there would be no objection to attach to Canada the Red River or any other district available for settlement, 2956-2961—General character of the Red River Indians and settlers; about two-thirds are hunters, 2962, 2973-2975, 2984, 2985.

Opportunity given to the Indians to settle where they please, 2964—Facilities afforded to the missionaries by the Company, 2965, 2986, 2987—Great difference between different tribes of Indians in regard to civilisation or settlement; particulars hereon, 2966-2985—Difficulty of christianizing the Sotoos, a tribe of the Crees, or of making them cultivators of the soil instead of hunters, 2966-2983—The Crees in the lower part of the Saskatchewan are very different from those on the upper part, and are more easily civilised, 2980-2983.

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*Richardson, Sir John, C.B.*—(Analysis of his Evidence)—continued.

Indians were to a certain extent agriculturists, 3023-3027—All settled Indians partly clinging to hunting, 3028.

Circumstance of there having formerly been two governors in the territory, Governor Williams and Governor Simpson, 3029-3032—The want of communication is a main obstacle to the colonisation of the Red River district, 3033-3149—Large district along the north side of Lake Superior and between it and Red River which must be occupied before settlers will flock to Red River, 3033-3041—Reference to the route *via* Fort William to Lake Winnipeg; the North-western Company necessarily got their supplies by Fort William, 3042-3052—The route by Fort William is all canoe work; it has not been improved of late years, 3053-3058—Obstacles to an inexpensive communication with Red River by Fort William, 3054-3060.

Increasing and populous American settlements on Lakes Huron and Michigan and throughout Illinois, adverted to as mainly resulting from steamboat and railroad communication, 3061-3072—If there were a railroad to Red River it would probably bring settlers, though not at all to the extent that settlers have gone to Illinois, 3071-3078-3081—Doubt now far the Red River may be navigable for steamers, 3074—If the territories were thrown open for colonisation, spirits would probably be generally introduced, 3075, 3076—Spirits used not to be had in the interior, 3077—Any settlement extensively would require the protection of a military force, 3082-3133-3143.

Good quality of the plumbago found near Fort Chipewyan, 3083-3085—Slight alluvial deposit left by the floods, 3086-3088—Permanent ice on some of the lakes, 3089—Improvement of the climate if the marshes and swamps were drained, 3090-3091—There has been no geological survey of the territory; advantage of such survey with a view to the discovery of minerals, 3092-3108, 3109—The north shore of Lake Superior, in Canada, has been surveyed by Mr. Logan, and lead and copper have been found and worked for a time; failure of the mining companies adverted to hereon, 3092-3106—Probability of the existence of minerals 3103-3108, 3109—There is a large copper district on each side of the Coppermine River, 3110-3113.

Further reference to the coal on the Saskatchewan and Mackenzie as being very inferior, 3114-3119—On Parry's Islands, &c., there are some secondary coal formations, 3119-3121—Extent of cultivation at Fort Liard and Fort Simpson, 3122-3124—Upon the alluvial points of Peace River grain might be cultivated, but the wolves are a bar to pasturing sheep on the prairie, 3125-3127.

Power of the Hudson's Bay Company still to preserve their authority in the country, provided the fur trade is not thrown open, 3128-3130—Unless the fur trade is thrown open, settlers are not likely to establish themselves in the country, 3129-3133—The trade may be kept closed until settlement advances nearer, 3131—Settlement at Red River need not interfere with the trade; the Indians there might be removed further north, 3132-3134-3144-3148—Competition on the frontier between the United States and Hudson's Bay Companies, 3135.

Further reference to the difficulty of improving the communication between Lake Superior and Red River, 3136-3138—The easiest, but not the safest, route to Red River is by St. Paul's; question as to this route being made more advantageous, 3139-3141—Extensive settlement would probably injure the fur trade, and would require a strong government to preserve tranquillity, 3142, 3143—Question as to the advantages and practicability of canal communication between Lake Superior and Rainy Lake, 3150-3158.

*Roads.* Statement as to the expediency in the first instance of making a good broad road to the Red River, &c., and laying out allotments on either side for settlers, *Ross* 17-67-126-128—The Company do not make roads at Red River, but contribute their share of the tax for the purpose, *Sir G. Simpson* 1990-1993—Reference to complaints by settlers as to the absence of improvement of the roads, &c., *Corbett* 2759-2763-2775.

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*Roche, Alfred Robert.* (Analysis of his Evidence.)—Has resided in different parts of Canada for the last sixteen years, 4451, 4452—Is fourth clerk in the Provincial Secretary's Department, 4453-4455—Instructions from the Canadian Government under which witness has come to this country in connexion with the mission of Chief Justice Draper, 4456-4457—Nature of witness's opportunities for obtaining a knowledge of the Hudson's Bay territory; he has never been there, 4458-4464.

Greater value of the territory than has been represented, in regard to its mineral resources, 4464-4471—Adverse feeling of Canada towards the government of the Hudson's Bay Company, 4472-4509, 4510—General feeling throughout Canada that the territory belongs to that country, or should be annexed to it, 4472-4495—Statement by Mr. Vancouver, president of the executive council, that Canada claims the territory up to the Pacific 4472, 4473.

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Reference to a report by the Commissioner of Crown Lands which has been presented to the provincial parliament, and which contemplates a settlement by Canada of the prairies of the Saskatchewan and Red River, 4476-4484—Disposal already of the greater part of the available land in the western parts of Canada; hence the desire to settle the prairie country of the Hudson's Bay territory, 4484, 4485. 4498-4508—Although Canada claims the territory up to the Pacific; their main object is a settlement of the country, more especially as far the Rocky Mountains, 4486-4497.

Feeling in Canada that the rights of the Company should be abolished, and the trade with the Indians thrown open, 4509-4511—Consideration of the effect upon the Indians if the territory were annexed to Canada, and the trade opened; belief that by restrictions upon the sale of spirits the Indians would prosper, 4512-4543—Increase in the number and the prosperity of the Indians in certain parts of Canada, 4525-4539.

Reference to a paper (*App. p.* 381-385), drawn up in March last by Mr. Gunn, of Red River, containing statistics of the colony, 4544-4548—Explanation relative to a petition from Red River, signed by about 600 persons, and recently presented to the Canadian Parliament, complaining of the rule and monopoly of the Hudson's Bay Company, 4548-4558. 4561—Statement by the petitioners that they have represented their grievances to the Imperial Government without effect, 4556, 4557. 4562-4564.

Reference to the committee now sitting in Canada for inquiry, among other things, into the validity of the Company's charter, 4558-4561—The committee will soon make their report, 4561—Authority and object of the colonial legislature in directing the inquiry referred to, 4565.

*Rocky Mountains.* Doubt as to the altitude of the Rocky Mountains, *Lefroy* 295-297—Particulars as to the passes over the Rocky Mountains, more especially that by Mount Hooker; they are all very difficult, *Miles* 4673-4676. 4701-4709—The Kootanais pass, in the American territory, is crossed over in waggons, *ib.* 4706, 4707—There are three passes over the mountains: one through the Peace River which flows right through the mountains, one from the northern branch of the Saskatchewan, and one from the southern branch which may be crossed in wheel carriages, *Isbister* 6092-6094.

*Roman-catholic Clergy.* Payment of 100 *l.* a year to a Roman-catholic bishop in Oregon, *Sir G. Simpson* 1102-1107—There are Roman-catholic clergymen at Red River, &c., with a bishop at their head, *Right Rev. Dr. Anderson* 4281.

*Ross, John.* (Analysis of his Evidence.)—Has been a member of the Canadian Parliament since 1848, and, in different capacities, a member of the Canadian government, 1-4—Has paid considerable attention to the state of the Hudson's Bay territory, more especially in so far as the interests of Canada are affected thereby, 6—Has been on the borders of, but not in, the territory, 7. 12—Is at the head of the Trunk Railway of Canada, 8.

Within the last year a regular discussion has risen up in Canada upon the question of opening up the territory, 10. 16—Feeling in Canada that the control of the Hudson's Bay Company prevents the extension of settlement and civilisation, 10—Witness considers that it would be a very great calamity if the control of the Company were altogether to cease, *ib.*—Constant peace within the territory through the operations of the Company, *ib.*—Constant war on the other hand between the natives of the American territory, on the one side, and the Indian tribes on the other, 10. 140, 141.

Suggestion that so fast as the Canadian Government might wish to open up any part of the territory for settlement, they should give notice thereof to the Company, who should, within a certain period, surrender the territory indicated, 11. 55. 59.

Witness has heard that at the west of Lake Superior there is some land that might very well be settled, 12—The country round the Red River is also said to be very good land, and very suitable for settlement, *ib.*—The country generally, from Lake Superior to the Red River, is not adapted for settlement, being broken and intersected by swamps to a very great extent, 12. 147.

Evidence in favour of a line of railway communication across the continent of North America, which should be a continuation of the Grand Trunk line, and should pass by the Red River Settlement and over the Rocky Mountains, and so on to Vancouver's Island, 13-17. 39-46. 67-72. 148-155—Obstacles to the Red River Settlement being governed or administered by the Canadian Government, 17. 124-143—A railway, or good road, from the west end of Lake Superior to the Red River Settlement, is the best means of opening up and extending the latter place, 17.

There is not any part of the territory on the frontier of Canada which is likely to be occupied, 18—Unsuitableness of the land round the Saguenay River for extended occupation, 18-22. 156, 157—Importance of the Canadian boundaries being properly defined,

*Ross, John*—(Analysis of his Evidence)—continued.

defined, 23-27—Rapid extension of the American settlements in the direction of the Red River, 27-35. 91-94—Nature of the communication between the Red River and St. Paul's; large intervening tract of uninhabited country, 31-35. 91-98—The easiest route from this country to the Red River would be by St. Paul's, through the United States, 36, 37. 88. 144.

An extension of the Trunk railway to the Red River should pass through the valley to the north of Lake Huron and Lake Superior, where the land is very suitable for a settlement, 40-46. 142. 145, 146—The railway is now very nearly carried to Lake Huron, 43—How far it may be carried by the Acts already obtained, 45. 153—Necessity of the Hudson's Bay Company relinquishing their hunting rights over any part of the territory which may be required for settling or for the railway, 47-54—Illustration of the difficulty which would probably attend a system of settlement by the Canadian Government similar to the American system under the ordinance of 1783; 56-60.

Considerations as to the propriety of compensation to the Company and the Indians in the event of settlements being formed, 57-66—Inexpediency of any conflict between the Canadian Government and the Indians in the Company's territory, 57-59, 60—Protection to the border country on account of the occupation given by the Company to the Indians, 60, 61—With proper means of communication the Canadian Government could extend its system of administration not only to the Red River but to any other settlement that may be formed, 63, 64. 124. 126.

Further statement as to the expediency in the first instance of making a good broad road and laying out allotments for either side for settlers, 67. 126-128—Vancouver's Island would be more attractive to settlers than any other portion of the Company's territory, 70, 71—Great importance of the contemplated railway across the continent, independently of its advantage in opening up the country, 72. 151—Reference to an attempt being made at Toronto to get up another North-west Company and form a colonisation to the west of Lake Superior; inexpediency thereof, 73, 74.

Improbability of colonists locating themselves at any great distance west of Canada, in preference to fixing on attainable points nearer the settled parts of Canada and the great lines of communication, 75-88. 104-123—Settlement of Iowa under the United States adverted to, 79-85—In the United States new settlements have always been created by starting from adjacent settlements, 85. 117-120—As regards Oregon it was settled mainly from the sea, 86-90. 121, 122—Witness has no accurate knowledge as to the number of Indians upon the territories of the Company, 99-101.

Impression in Canada that the more northern part of the territory, which is best suited to the fur trade, is the least adapted for settlement, 102—Reference to the valley of the Ottawa and the extent to which it has been surveyed and settled, 106-115—Difficulty in governing half-breeds, as at Red River, 120-131—Impracticability at present of communication between Toronto and the Red River, save through the United States, 133, 134. 142-144—Inexpediency of forming the Red River Settlement into a separate territory for self-government, 135-141.

*Rupert's Land.* Boundaries of Rupert's Land; the Rocky Mountains are its limits on the west, *Sir G. Simpson* 718. 737-742—Right exercised by charter over Rupert's Land, *Rep.* p. iii.—See also *Colonisation and Settlement*.

*Russia.* Reference to the fur-trading establishment of the Russian Government on the extreme north-west point of the continent, *Rae* 388-390. 412—Explanation as to the Company having rented, since 1839, a strip of coast belonging to the Russian-American Company between Fort Simpson and Cross Sound, *Sir G. Simpson* 1026-1038. 1732-1737—Mutual arrangements between the Hudson's Bay and Russian Companies during the late war, *ib.* 1738-1742—Information relative to the Russian fur-trade, *Right Hon. E. Ellice* 5819.

*Saguenay River.* Unsuitableness of the land round the Saguenay River for extended occupation, *Ross* 18-22. 156, 157—Extension of settlements along the Saguenay River, though the climate there is sometimes ruinous to the crops, *Hon. W. H. Draper* 2199-2203.

*St. Lawrence River.* The St. Lawrence at Quebec is generally open from April or May till November or December, *Lefroy* 287-289—The Hudson's Bay Company have establishments all the way down the St. Lawrence, *Sir G. Simpson* 1679.

*Sale of Land.* Right of the company to sell land, *Sir G. Simpson* 1204-1216. 1285-1288—The entire sums paid for land, either to Lord Selkirk or to the Company, have not amounted to more 3,000*l.* *ib.* 1769-1785. 1737.

See also *Conveyance of Land*.

**Salt.** There are immense quantities of salt in a very pure state near the Mackenzie River, *Isbister* 600.

**Sarsaparilla.** Suggestion that sarsaparilla be imported from the Hudson's Bay territory; it grows wild there, *Isbister* 600.

**Saskatchewan River.** Cultivation has been tried with some success at Fort Cumberland and other districts along the Saskatchewan, *Lefroy* 169, 171, 246—Length of the winter at the Saskatchewan, *ib.* 184-188—Belief that the country about the Saskatchewan is quite capable of cultivation, *Rae* 368, 371, 449—Obstacles to any settlement of the Saskatchewan until the country gradually settles up to it, and communication is afforded for dealing with the produce, *ib.* 368-371.

The climate is still more rigorous and the crops more uncertain at Saskatchewan River than Red River, *Sir G. Simpson* 723, 752-756—Particulars as to the navigation of the Saskatchewan; impediments offered by several rapids, *ib.* 776-793—On the banks of the Saskatchewan the soil is not cultivable, save at a few points, and the district about the Pas is intersected with lakes and is frequently flooded, *Sir J. Richardson* 2901, 2911-2913—Fitness of the valleys of the Saskatchewan for cultivation, *Miles* 4691-4700; *M'Laughlin* 4949, 4950, 4960-4965—Inferior character of the soil at the Saskatchewan, *Right Hon. E. Ellice* 5847.

The Committee consider that the Saskatchewan district is among those likely to be desired by Canada for early occupation, *Rep. p. iv.*

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**Schools.** See *Education*.

**Sea Voyage.** Doubt as to there being any advantage in a steamer over a sailing vessel for the voyage to and from Fort York, *Herd* 4585-4595, 4642-4646—The voyage is farther and more difficult from London to Fort York than to Montreal, *ib.* 4597, 4598.

**Selkirk, Lord.** It is considered that the land was regularly purchased from the Indians in the time of Lord Selkirk, *Sir G. Simpson* 1096.

In 1836 the Company paid Lord Selkirk 25,000*l.* for the Red River colony, *Right Hon. E. Ellice* 5839—Remarks on the circumstance of witness having many years ago disputed the right of Lord Selkirk to the Red River colony; whereas since his connexion with the Hudson's Bay Company and the purchase of the colony from Lord Selkirk he has maintained the title to the possession of the colony, *ib.* 5992-6000—Doubt whether Lord Selkirk gave any compensation to the Indians for the Red River district; or whether his rights were under treaty, *ib.* 6002, 6003.

**Servants of the Company.** Particulars as to the several classes of servants in the Company's employment; and number of each class, *Sir G. Simpson* 983-992—There are sixteen chief factors and twenty chief traders, *ib.* 983—There are about 1,200 permanent servants, *ib.*—In the trading season the Company employ about 3,000 persons altogether, *ib.* 989-992—The Indian hunters are not considered servants of the Company, *ib.* 992, 1125-1127—Nature of the supervision exercised with a view to discipline and good conduct among the Company's servants, *ib.* 1024, 1025, 1046, 1047—The greater proportion of the Company's white servants are Orkney men, *ib.* 1054.

There is no regular provision for the servants beyond that of liberal wages; but in deserving cases small pensions are never refused, *Sir G. Simpson* 1056-1059—The servants often save money enough to retire upon, *ib.* 1056, 1269-1271—The servants of the Company are generally engaged for five years, but they mostly continue in the service for many years afterwards, *ib.* 1255-1258—The factors and traders have an interest in the trade and are not paid by salary, *ib.* 1261-1263—Further statements as to the provision made by the Company for incapacitated or retired servants, *ib.* 1460.

The chief factors and chief traders are paid by shares, *Right Hon. E. Ellice* 5791-5793, 5802—Appointments to vacancies in the conduct of the trade are recommended by the council of factors abroad, and are made by the board of directors at home, *ib.* 5793, 5793, 5798—Great care taken in regard to the class and character of persons sent from this country to situations in the interior, *ib.* 5829-5832—Constant watch over the conduct of the Company's agents, *ib.* 5831, 5836—Moral conduct and good sense are indispensable in the traders and factors, *ib.* 5832, 5836—Those servants are most prized who attempt to benefit the Indians, *ib.* 5936.

**Settlement.** See *Colonisation and Settlement*.

**Shepherd, John.** Letter from Mr. Shepherd, Governor of the Hudson's Bay Company, to the Right Hon. H. Labouchere, dated 18 July 1857, setting forth the views of the directors of the Company on some of the more important points involved in the inquiry, *App. p.* 405, 406.

**Simpson, Sir George.** (Analysis of his Evidence.)—Has been Governor of the Hudson's Bay Territories for thirty-seven years; nature of his authority, 702-706, 712, 713—Has resided for several years at the Red River Settlement, as well as in Oregon, in Athabasca, and Canada, 707—There is a separate seat of council for the northern and southern

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southern departments, 708—The chief factors are *ex officio* the members of council, but the number is of necessity often made up by chief traders, 710. 1151, 1152. 1372-1375—Authority of the council, 711-713.

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Uncertainty of the crops at Red River Settlement; reference hereon to the necessary importation of corn some years ago, 719-723. 802-810. 875—Nature of the soil at the Red River; about a mile from the banks the alluvial soil almost ceases, and cultivation is impracticable, 722. 818-827—The climate is still more rigorous, and the crops more uncertain at Saskatchewan River than Red River, 723. 752-756—Cultivation, to a limited extent, might be carried on to advantage on the right bank of the Rainy Lake River; examination hereon, 724-726. 773-775. 853-857. 874. 1406-1420.

Rugged and mountainous character of the Company's territory west of the Rocky Mountains, 728-736. 761-771—Witness has not visited Vancouver's Island, but understands that it is only the southern end that is favourable for settlement, 730-732. 760-763—Less rigorous character of the climate in the lands to the west as well as to the south, 743-756—Doubt as to climate being mitigated by settlement and cultivation, 757-759. 828-831.

Quotation of, and examination upon, an extract from a book published by witness in 1847, wherein he speaks in very favourable language of the natural advantages of the river between the Rainy Lake and the Lake of the Woods, and of the banks of the river, 773-775. 874. 1406-1420. 1431-1445—Particulars as to the navigation of the Saskatchewan; impediments offered by several rapids, 776-793—It is about 500 miles of navigation from the southern part of Lake Winnipeg to Fort William on Lake Superior, 793-795—Material obstructions to the navigation of the river between Rainy Lake and Fort William, 796-801.

Occasional flooding of the land at Red River, and at various other parts of the territory, 804, 805. 875-878. 942-957—Encouragement given by the Company to agricultural pursuits on the part of the settlers at Red River; denial of the accuracy of a statement hereon by Mr. John McLean, 811-817. 879-882—Different character of the timber about James's Bay, &c., and of the timber in the prairie districts, 820-825—The population at Red River is now about 8,000, including Indians, 832-836—Less rigorous climate at Minnesota than Red River, 837—Absence of American emigration from Minnesota to Red River; the nearest American settlement is, at Crow Wing River, about 400 miles from Red River, 838, 839. 891-907.

Fine and level character of the country from the Red River colony to the Rocky Mountains, 840, 841—Impediments to the navigation from York Factory to Lake Winnipeg, 842-845—Circumstance of witness having recommended a missionary settlement between the Lake of the Woods and the Rainy Lake, 846-848—Reference to the waste of manure at the Red River Settlement, 849, 850—The country along the Saskatchewan towards Edmonton is a rolling prairie, 851, 852.

There is a considerable space of level and cultivable land to the eastward of Fort Langton, at the mouth of Fraser River, 858-864. 928-941—The mouth of Fraser River is obstructed by a bar, 865-867—The best way to the Red River Settlement from Europe is through Minnesota by St. Paul's, 868, 869—From Canada to the Red River, the only practicable route is north of Lake Superior inland, by Fort William and Rainy Lake, 870-873—Craggy and barren country north of Lake Superior, between Sault Ste. Marie and Fort William, 884. 908.

Obstructions, in the shape of shoals and rapids, to the navigation of the Assiniboine branch of the Red River, 884-887—Good land along the banks of the Assiniboine River, 888-890—Rocky and swampy character of the country north of Lake Superior, 908. 922-927—Inferior character of the timber to the north and west of Lake Superior, 909-916. 920, 921—Copper and iron exist along the eastern shore of the Lake, 917-919—Swampy country in the neighbourhood of Fort Alexander, 958, 959.

The crops at the Red River are usually taken in August before the winter sets in, 960-962—Before the Red River Settlement was founded, animal food and fish formed the main diet in the interior, and corn was imported through Hudson's Bay for the use of the Company's establishments on the coast, 963-968—Obstacles to carrying on a traffic through Hudson's Bay, 969, 970—Insufficient quantity of wood on the banks of the Saskatchewan and Red Rivers, 971-973. 977-981—The only outfall of Lake Winnipeg is by Nelson River, into Hudson's Bay, 974-976—At Edmonton the pasturage is very good, and barley is very productive, 982.

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Particulars as to the several classes of servants in the Company's employment, and number of each class, 983-992—The Indian hunters are not considered servants of the Company, 992. 1125-1127—Particulars as to the amount of the Indian population, 993-997—Great mortality among the Indians about forty years ago from small pox and measles, 998—Successful introduction of vaccination by the Company about 1820, *ib.*—Increase of the Indians in the thick-wood country, and decrease of the Indians in the plains, 999-1005.

Restrictions placed by the Company upon traffic in spirits, 1006. 1649-1053. 1134-1141—System in regard to outfits to the Indian hunters, 1007. 1063-1065. 1125-1128—Payment for the furs by barter according to a tariff varied from time to time, 1008—Encouragement given to Indians to resort to agriculture, but without success, 1009-1011—Constant peace in the territory between the whites and Indians since witness has been Governor, whereas on the American frontier a continual war has been going on, 1012-1017.

Very little crime in the Company's territories, 1014. 1388-1405—Particulars as to and approval of the system of administration of justice, 1018-1023. 1039-1043. 1060, 1061. 1150-1193. 1387-1405—Nature of the supervision exercised with a view to discipline and good conduct among the Company's servants, 1024, 1025. 1446, 1447—Explanation as to the Company having rented, since 1839, a strip of coast belonging to the Russian American Company, between Fort Simpson and Cross Sound, 1026-1038.

Statement to the effect that the whole import of spirits into the territories from England has averaged less than 5,000 gallons in each year since 1847; 1044-1048. 1137-1139. 1247—Drams of spirits are occasionally given gratuitously to Indian hunters, 1048. 1053—Spirits are also of necessity occasionally given in exchange for provisions, but never for furs, 1048. 1053. 1134-1141—Inaccuracy of a statement as to the Coppermine Indians having decreased in consequence of indulgence in liquors obtained from the Company, 1049-1052.

The greater proportion of the Company's white servants are Orkney men, 1054—The Indian servants employed as voyageurs, &c., are paid merely for the trip, 1055—There is no regular provision for the servants beyond that of liberal wages, but, in deserving cases, small pensions are never refused, 1056-1059—The servants often save money enough to retire upon, 1056. 1269-1271—Mode of ascertaining the number of Indians in different districts, 1062. 1066—Respect in which the Company refuse to become freighters of imports for other parties to York or Moose River, &c., 1067-1069. 1073-1081.

Supply of goods kept by the Company at Red River, 1070. 1071—Explanation as to some supplies for the settlement coming from St. Louis, 1072. 1235-1238. 1318—Objections made to convey goods to Mr. James Sinclair of the Red River, on the ground that he wanted them for the fur trade, 1075-1081—Facilities afforded by the Company for the entrance of free labourers into the Red River Settlement, 1082-1091—Encouragement given by the Company to the settlement and colonisation of the Indians, 1092-1102.

The tenure of land in the Company's territory is for 999 years, 1093. 1161-1167—The Indians are never required to pay for the lands they occupy, 1094. 1097—Support by the Company of one of the Indian chiefs, 1095—It is considered that the land was regularly purchased from the Indians in the time of Lord Selkirk, 1096—Particulars as to the religious or missionary establishments in the territory, and the payments made by the Company to them severally, 1100-1102—Payment of 100 l. a year to a Roman Catholic Bishop in Oregon, 1102-1107—Explanation as to the Company having certain possessory rights in Oregon, 1108-1124. 1286-1288. 1344-1351.

How far provision is made for, or encouragement given to, the education of the Indians and half-breeds, 1129-1133. 1321-1323. 1331—Extent to which the transactions of the council are kept secret from the public, 1142-1145. 1182—All criminal cases are tried at Red River and are open to the public, 1145—There is no savings bank in the territory, but the Company allow four per cent. on money placed in their hands, 1146-1149—In the Red River Settlement there is a circulating medium of gold, silver, and copper, and a paper currency, 1147.

In the district of Assiniboia, which includes the Red River Settlement, the recorder, Mr. Francis Johnson, is the governor of the district, and exercises executive, as well as judicial power, 1153-1156. 1364, 1365. 1368—The gaols are almost always empty, 1158—The governor and council have no legislative powers, save as regards the making of laws or regulations for the management of their own affairs, 1159, 1160. 1168-1176—The council assembles at Norway House some time in June, seven factors out of the entire number of 16 forming a quorum, 1177-1181—Constitution and mode of appointment of the council in the Assiniboia district, 1183-1188. 1303-1371.

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*Simpson, Sir George—(Analysis of his Evidence)—continued.*

The recorder for Assiniboia acts also at Norway House, 1189, 1190.—The factors act as magistrates, 1191-1193.—Probable power of the Company to imprison or remove parties establishing themselves on the territory; they have never removed any one, 1193-1204.—Practice in regard to the purchase of land from the Company; for 5 s. or 7 s. 6 d. an acre, leases are granted for 999 years with restrictions merely upon trading in furs, 1199-1226. 1285-1291.—Right of the Company to sell land, 1204-1216. 1285-1288.—The only article prohibited for export is that of fur, 1227. 1238.—Statement as to the Company having objected to export some tallow for Mr. James Sinclair, 1228-1234. 1238, 1239.

Reference to a pamphlet published by Mr. Dunn, who was in the Company's service many years ago, 1240-1248.—About the year 1832, there was doubtless much abuse in regard to spirits on the north-west coast, on account of the opposition with the United States, 1248, 1249.—The chaplains are paid by the religious societies to which they belong as well as by the Company; their keeping a school depends upon the instructions of the society and not of the Company, 1250-1254.

The servants of the Company are generally engaged for five years, but they mostly continue in the service for many years afterwards, 1255-1258.—The wages of the servants or labourers vary from 20 l. to 40 l. a year, 1259, 1260.—The factors and traders have an interest in the trade and are not paid by salary, 1261-1263.—Further statement as to the tariff for barter with the Indians; variations in it are settled by the Council, 1264-1268.

There is a small settlement of whites at Portisla Prairie, about 60 miles from Red River; objection made by the Company to the formation of this settlement, 1272-1282. 1359-1362.—The Company would not object generally to the formation of new settlements, 1283, 1284.—Any new regulations affecting the Red River Settlement are published, but it is not considered necessary to publish old ordinances, 1292-1298.—There is no newspaper in the Red River colony, 1299-1301.—Cost per ton of the freight on goods passing to Red River respectively through the Company's territory and through the States, 1302-1308.—Obstacles to an improvement of the route from York Factory or from Lake Superior to Red River, 1309-1317.

With respect to a resolution of the Council in 1845 as to the duties on imports, witness believes it was disallowed, 1318.—Belief that but for trade agitators the colonists at Red River would be perfectly satisfied with the government of the Company, 1319, 1320.—Considerable lapse of time between the purchase of goods in England and their delivery in certain parts of the Company's territories, such as Mackenzie's River, 1324-1327.—Better position of the Indians, as regards means of subsistence, on the west than the east of the Rocky Mountains, 1329, 1330.—Explanation as to the application of a bequest of 10,000 l. left by the late Mr. James Leith, for the purposes of religious instruction in the territories, 1332-1343.

Obstacle to the council at Norway House meeting more than once a year, 1352-1355. In the Government of Red River there is not necessarily any reference to Norway House, 1355-1357.—The Assiniboia district forms a circuit of fifty miles from the forks of the Red and Assiniboine Rivers, but criminals are sent thither from distant parts of the territory, 1362. 1384-1387.—Witness's appointment is by the Governor and Committee at home, and is revokable at any time, 1376-1381.—Witness has no head-quarters, 1382, 1383.—The Governor of Assiniboia is resident, 1383.

Natural obstacles to the support of a colony, embracing the Red River Settlement and extending to Lake Winnipeg and Cumberland House, &c., 1420-1431.—Impediments to a steam-boat navigation of the river running from Rainy Lake to the Lake of the Woods, and from thence to Lake Winnipeg, 1431-1445.—The navigation from Rainy Lake to Fort William, a distance of 300 miles, is fit only for canoes, 1444, 1445.

[Second Examination.]—Delivers in a copy of the land deed by which the Company convey land to settlers, 1448, and *App. p.* 361, 362.—Further references to and explanation of the bequest of 10,000 l. by Mr. Leith; it was left "for the purpose of establishing, propagating, and extending the Christian Protestant religion in and amongst the native aboriginal Indians of Rupert's Land, 1449-1459.—Further statement as to the provision made by the Company for incapacitated or retired servants, 1460.

Reference to a paper containing an account of the Red River population; the total of whites and Indians is 8,000; 1461-1470.—Witness delivers in a paper containing a detail of the population in the Company's territories according to a census or estimate made last year, 1471-1473, and *App. p.* 365-367.—The total of Indians east of the Rocky Mountains is 55,000, and west of the mountains 80,000; 1472.—The Company have made attempts from time to time in former years to take a census, but the papers are not in this country, 1474-1482.—The census or estimate of Colonel Lefroy was made in 1843, and that of Major Waugh in 1845; 1483, 1484.

Witness delivers in copies of certain regulations of the Company, prohibiting the use and importation of spirituous liquors, 1485, 1486, and *App. p.* 368.—Further statement



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*Simpson, Sir George—(Analysis of his Evidence)—continued.*

ment and explanation as to the circumstances under which the Company refused to ship some tallow for Mr. J. Sinclair in 1844; 1487-1517—Circumstance of witness having often suggested to Mr. Sinclair, Mr. M'Dermot, and others, the propriety of chartering a vessel for themselves for the export of tallow and other produce, 1496-1501, 1504.

The Company's imports into the territory are about 60,000*l.* a year, 1518-1520—about 40,000*l.* in imports is distributed among the 55,000 Indians east of the Rocky Mountains, 1521-1524, 1547—Different articles imported for barter, 1525-1527—Inferior skins, such as musk-rat skins, are constantly taken in return for a gun, 1528-1535—There are different tariffs for different places, 1536, 1616-1619—In Canada and the American frontier furs are mainly paid for in money; in the interior it is a barter trade; 1536, 1617-1620.

Although higher prices are given on the frontier than in the interior for skins, witness considers that the Indian is better off in the interior, 1537-1546—Examination as to the extent to which the Indians have in different parts of the interior been reduced to starvation or cannibalism, 1548 *et seq.*—Witness does not recollect any complaint to have been made by the American government in regard to the sale of spirits by the Hudson's Bay Company, 1613, 1614—Opinion that the Indian population in the thick wood country is increasing, 1615.

Beads are not now traded with the Indians but are given as gratuities, 1622, 1623—Sundry other articles, including knives, given as presents to the Indians, 1624-1629—Witness does not recollect the existence of any agreement by the Company to send criminals to be tried in Canada, 1630-1632—On one occasion three men were sent to Canada for trial for murder, 1633, 1634.

Non-objection to a settlement and distinct administration of any cultivable part of the Company's territories, provided interference with the fur trade be interdicted, 1635-1644, 1666-1674, 1847, 1848—Evil anticipated from an opposition fur trade on the Company's territories, 1645-1658—During the baneful contest between the Hudson's Bay and North-western Companies spirits were bartered on both sides, the Indians were demoralised, and there were continual riots and breaches of the peace, 1648-1656—There is now no American fur company in the United States, 1659-1665.

Belief that spirits are not smuggled into the Company's territory from Canada, 1675-1678—The Company have establishments all the way down the St. Lawrence, 1679—They have gone on in perfect harmony with the Canadians and the Canadian Government, 1680—There are about 4,000 half-breeds at Red River, 1681, 1682—There are schools at Red River, established by the Missionary Societies and assisted by the Company, to which the half-breeds go, 1683-1685, 1717-1723.

The increased instruction of the half-breeds has not created any increased desire on their part for a free trade in furs, 1686-1694—Increase in the general trade of Red River with the United States, 1695-1697—Absence of desire in the Indians to trade with America rather than with the Company, 1698-1703—The fur-bearing animals have increased under the Company's sway, 1704, 1705—The export of furs has largely increased, and the trade is now the largest and most valuable in the world, 1706-1708.

With regard to the covenant in the form of lease to settlers, that the settler shall contribute towards education and religious instruction, the same is not enforced, 1709-1716—Further statement as to the aid given out of the Company's funds towards education and religious instruction, 1721-1723, 1728, 1729, 1791, 1792—Reference to a charge made by the Company for the passages and travelling expenses of two missionaries, 1724-1728—Further statement as to the Company not requiring the missionaries and clergymen to keep schools, 1730, 1731.

Further evidence as to the object of the lease by the Company of some Russian territory, 1732-1737—Mutual arrangement between the Hudson's Bay and Russian Companies during the late war, 1738-1742—The Hudson's Bay Company erected a distillery at Red River, but have never worked it, 1745, 1746—Perfect liberty of the Indians to act as they please, the Company exercising no control over them, save when crimes are committed on the whites, 1747-1756, 2057—Unwillingness of the Company to oppose by violence any persons coming from the United States and trading with the Indians, 1757-1761.

Evidence to the effect that the price of 5*s.* or 7*s.* 6*d.* an acre for land is in the main merely nominal, inasmuch as but a very small proportion of the settlers or squatters make any payment for the land, 1762-1786, 1797-1832, 1861-1870—The entire sums paid for land, either to Lord Selkirk or to the Company, have not amounted to more than 3,000*l.*, 1769-1786, 1797—There is an import duty of four per cent. on all goods, including those of the Company, going to Red River, and the amount thus raised is expended on roads and schools, or otherwise for public purposes, 1787-1793, 1875-1881, 1990-1993.

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*Simpson, Sir George—(Analysis of his Evidence)—continued.*

The land from about a mile beyond the banks of the Red River has been experimented upon, and has proved not good, 1794-1796—Statement as to the practice of squatting, in consequence of the Company not enforcing payment for the land, 1804-1830—1861-1874—Titles are not given unless payment is made for the land, and a grant made by deed, 1819. 1830-1832—The condition in conveying land, that the lessee shall not sublet or sell any portion of it, is not enforced, and does not retard settlement, 1833-1846.

Inability of the Company to support the Indians in the interior, and in the northern districts in times of scarcity; food of the country adverted to hereon, 1849-1859—

Further reference to the form of deed of conveyance of land at Red River, to the effect that it is practically obsolete as regards any restriction upon settlement, 1860-1870

Nineteen-twentieths of the people settle without applying for a deed or title, 1861. 1870-1874.

Arrangements in regard to postal communication between the Red River and the United States frontier; there is no regular arrangement in force, 1882-1894. 1921-1953

Consideration of a charge founded on a letter written in December 1844 by Mr. R. Lane, when a clerk at Red River, relative to new regulations, requiring letters to be sent open for official perusal before posting; any such regulations were probably made by the Government of Assiniboin, and were most likely disallowed by the Home Government, 1895-1920—Extent to which Lake Superior is navigated by steamers on the American side; there is no steam communication on the east side of the lake, or to Fort William, 1937-1952.

Belief that there was never any regulation prohibiting Mr. Dunn, or the servants of the Company generally, from keeping journals or records of what passed in the country, 1954-1958—Further statement as to the occasional flooding of the Red River; part of the settlement exempt from this disaster, 1959-1977—Reason for no attempt being made to improve the banks of the river so as to prevent floods, 1978-1980—Reason for no bridge having been built at Red River, though at St. Paul's a bridge may have been made, 1981-1988—Many of the smaller streams in the settlement have been bridged over, 1989.

The statement that the Company allow four per cent. on savings lodged in their hands applies to their servants, and not to the settlers, 1994—There is no bank at Red River, but the settlers have agents in England, 1995, 1996—Nature of the means used by the Company in order to induce the Indians to practise agriculture, 1997-2000—Further statement as to the Company encouraging the education and religious instruction of the Indians, though they have not given specific aid for forming schoolrooms or purchasing books, 2001-2017. 2056—Over about 25,000 Indians east of the Rocky Mountains, that is the Plain tribes, the Company have no control, 2001.

Witness is not aware of any regulations for licensing settlers to freight goods between Red River and York Factory, &c.; document, dated July 1845, and purporting to be signed by Alexander Christie, factor of the Company, adverted to hereon, 2018, 2019—With regard to any resolutions in 1845, imposing a duty of 20 per cent. on imports, witness further states that they were probably disallowed, and at all events were never enforced against the importers, 2020-2036—Explanation as to the mode of accounting for and expending the receipts from the four per cent. duty on imports to Red River, 2037-2052.

Adequacy of canoe navigation for conducting the trade between Canada and the Red River, &c., 2053-2055—The Company do not consider themselves charged with the education or civilization of the Indians, but nevertheless contribute thereto, 2056, 2057—Further examination as to the extent to which land on the western coast is suitable for cultivation and settlement, 2058-2113.

How far the region about Fort Langley is cultivable, or suitable for settlement, further considered, 2059-2072. 2086-2096—Impediment to settlement west of the Rocky Mountains, in consequence of the warlike character of the Indians, 2064-2068—Cultivable character of the southern, but not of the northern part of Vancouver's Island further adverted to, 2077-2085—Cultivable character of the land at Fort Colvill; less favourable climate of the British territory north of the fort, and east of the mountains, 2097-2113.

No attempt has been made to form a settlement at Rainy Lake, 2114—There are a few settlers at Manitobah, about fifty miles from Red River, 2115—Insufficiency of the population; with a view to settlements at Rainy Lake, &c., 2116—Uncertainty of the crops at Red River further adverted to, 2117-2119—There are almost insuperable impediments to the navigation for 300 miles out of the 500 miles from Assiniboin to the head of Lake Superior, 2120-2125.

*Simpson, Fort.* The island on which Fort Simpson, on the Mackenzie River, is built contains some deep alluvial soil, and farming has been very successful there, *Lefroy*, 219. 246-254—Fort Simpson is not more than about 500 miles from the Pacific; effect thereof upon the climate and upon cultivation, *ib.* 249-252. 271-273. 290-294.

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*Sinclair, James.* Objection made to convey goods to Mr. James Sinclair, of the Red River, on the ground that he wanted them for the fur trade, *Sir G. Simpson* 1075-1081—Statement as to the Company having objected to export some tallow for Mr. Sinclair, *ib.* 1228-1234. 1238, 1239.

Further statement and explanation as to the circumstances under which the Company refused to ship some tallow for Mr. James Sinclair in 1844, *Sir G. Simpson* 1487-1517.—The Company had not room to ship the tallow, as they had not sufficient tonnage, but they subsequently bought it from Mr. Sinclair at his own price, *ib.* 1488, 1494, 1495-1505-1515.—See also *Freights*.

*Sitka.* Reference to a murderous scene among the Indians at Sitka, some years ago, in consequence of the abuse of spirituous liquors, *Sir G. Simpson* 1037.—Arrangement entered into by witness and the Governor of Sitka, several years ago, for the prohibition of the use of spirits in the English and Russian territories; it has been rigidly kept, *ib.* 1037, 1038.

*Slave River.* The Slave River, which connects itself with Athabasca Lake, is interrupted by frequent portages, *Isbister* 2596.

*Social Improvement.* Regulations of the Company for promoting the moral and religious improvement of their servants and the Indians, *App. p.* 368, 369.

*Soil.* See *Colonization and Settlement.* *Geological Formation.* *Red River Settlement*, 4. *Saskatchewan River.* *Swamps.* *Vancouver's Island*, 12.

*Sotoos Indians.* Difficulty of Christianizing the Sotoos, a tribe of the Crees, or of making them cultivators of the soil, instead of hunters, *Sir J. Richardson*, 2966-2983.

## SPIRITUOUS LIQUORS:

1. Generally as to the Regulation and Practice of the Company.
2. Complaints on the part of America.
3. Canada.
4. United States.
5. Vancouver's Island.
6. Effect of Competition in Trade upon the use of Spirits.

## 1. Generally as to the Regulation and Practice of the Company:

The Hudson's Bay Company have almost entirely discontinued sending spirits into the territory, and have thereby largely promoted peace among the Indians, *Lefroy* 314. 318—During witness's stay at Moose Factory spirits were never bartered for furs; but drums were occasionally given gratuitously to the hunters, *Rae* 563-567—Beneficial result of the restriction upon the sale of spirits, *ib.* 646, 647.

Restrictions placed by the Company upon traffic in spirits, *Sir G. Simpson*, 1006. 1049-1053. 1134-1141—Statement to the effect that the whole import of spirits into the territories from England has averaged less than 5,000 gallons in each year since 1847, *ib.* 1044-1048. 1137-1139. 1247—Drums of spirits are occasionally given gratuitously to Indian hunters, *ib.* 1048. 1053—Spirits are also of necessity occasionally given in exchange for provisions, but never for furs, *ib.* 1048. 1053. 1134-1141—Two-thirds of the spirits imported from England are used in the Red River settlement, *ib.* 1048. 1139—About the year 1832 there was doubtless much abuse in regard to spirits on the north-west coast, on account of the opposition with the United States, *ib.* 1248, 1249—Copies of certain regulations of the Company prohibiting the use and importation of spirituous liquors, *ib.* 1485, 1486, and *App. p.* 368.

Supply, at present, of spirits to the Indians in the more southern portion of the territory; grounds for this statement, *Isbister*, 2412-2414. 2429, 2430. 2583—Spirits were not bartered or supplied at Mackenzie River when witness was there in the years 1838-40, *ib.* 2583—Instances of intoxication among the Indians at Fort Garry, the spirits having in all probability been procured from the Company's traders, *Corbett* 2836-2847—Spirits used formerly not to be had in the interior, *Sir J. Richardson*, 3077—Propriety of the restrictions at Red River upon the trade in spirits, *Crofton*, 3318-3322. 3330—During witness's stay at Red River the Company strictly adhered to the restrictions with regard to the trade in spirits, *ib.* 3326, 3327.

Witness is not prepared to say that he never traded in spirits at Red River, *McLaughlin* 4727-4731—Probability of the Company making use of spirits as a means of barter with the Indians; they used to do so in witness's time, *ib.* 4926-4927—All the southern tribes are strongly addicted to spirits, *King* 5692.

Regulation with a view to the disuse of spirits among the Indians, *App. p.* 368—Copy of agreement between the governor of Rupert's Land and the governor of the Russian-American colonies for prohibiting the use of spirituous liquors on the north-west coast, *ib.* 368, 369.

## Report, 1857—continued.

## SPIRITUOUS LIQUORS—continued.

2. *Complaints on the part of America:*

Witness does not recollect any complaint to have been made by the American Government in regard to the sale of spirits by the Hudson's Bay Company, *Sir G. Simpson* 1613, 1614.

Witness has heard Mr. N. W. Kitson, the representative for the Minnesota territory, express himself very strongly against the Company's traders with regard to the use of spirits among the Indians, *Corbett* 2818-2823—Mr. Kitson is interested in the fur company on the American frontier, but does not trade at Red River, *ib.* 2824-2835.

Correspondence in 1850 between Mr. Abbott Lawrence and Viscount Palmerston, respecting a complaint alleging that the Hudson's Bay Company furnish large quantities of spirits to the Indians on the north-west frontier of the United States, *App. p.* 369-371—Letter from Sir John Pelly to Earl Grey, dated 9 March 1850, denying the accuracy of the complaint, *ib.* 370, 371.

3. *Canada:*

Belief that spirits are not smuggled into the Company's territory from Canada, *Sir G. Simpson* 1675-1678—Injurious effect of spirits upon the Indians in Canada, *Roche* 4524, 4525—Law in Canada against selling spirits to the Indians, *ib.* 4532-4534.

4. *United States:*

The United States law for the prohibition of trading in spirits with the Indians is constantly evaded, *Lefroy* 319, 320—Circumstance of there being a considerable traffic in spirits on the American side of the frontier, contrary to the rules of the United States Government, *Rae* 695-701—Check upon the use of spirits in the American Fur Company's territories, *Isbister* 2429—Witness has travelled for upwards of 1,000 miles in company with the American fur-traders, and never saw any spirits among them, *Corbett* 2811-2818—Conduct of the American fur trade without the introduction of spirits as a means of barter; at least witness never saw or heard of any, *M<sup>r</sup> Laughlin* 4941, 5077-5079—Copy of the American licence to trade; prohibition therein upon traffic in spirits, *ib.* 5057.

5. *Vancouver's Island:*

Penalty in Vancouver's Island in the event of persons being detected in trading with the Indians in liquor, *Hon. C. W. W. Fitzwilliam* 2333-2337.

6. *Effect of Competition in Trade upon the use of Spirits:*

Possible disadvantage as regards the introduction of spirituous liquors if the trade were opened, *Isbister* 2412, 2428, 2429—If the territories were thrown open for colonisation, spirits would probably be generally introduced, *Sir J. Richardson* 3075, 3076—Belief that though an opposition trade between two companies leads to a traffic in spirits, a general competition in trade would prevent the use of spirits as a means of barter, *M<sup>r</sup> Laughlin* 4927-4930, 4941, 4948, 5090—Impossibility of preventing the use of spirits during competition in trade, *Right Hon. E. Ellice* 5806-5808.

Anticipated increased introduction of spirits as a consequence of competition in the fur trade, *Rep. p.* iv.

See also *Sitka*.

**Squatting.** Probable power of the Company to imprison or remove parties establishing themselves on the territory; they never have removed any one, *Sir G. Simpson* 1193-1204—Statement as to the practice of squatting, in consequence of the Company not enforcing payment for the land, *ib.* 1804-1830, 1861-1874—Squatters on the land have not been molested by the Company, *Isbister* 2521.

See also *Colonisation and Settlement*, 5.

**Stock or Capital.** See *Capital*.

**Summer Frosts.** Injurious effect of the summer frosts upon the crops, *Lefroy* 299-302.

**Superior City.** Superior City is a new place, but will this year have a population of about 18,000, *Kernaghan* 2144—The city was founded a year and a half ago, *ib.* 2180.

**Superior, Lake.** Witness has heard that at the west of Lake Superior there is some land that might very well be settled, *Ross* 12—Remarks on the character of the country north of Lake Superior; it is extremely unfit for settlement, *Rae* 578-582, 602-604—Craggy and barren country north of Lake Superior, between Saulte Ste. Marie and Fort William, *Sir G. Simpson* 884, 908—Extent to which Lake Superior is navigated by steamers on the American side; there is no steam communication on the east side of the lake, or to Fort William, *ib.* 1937-1954.

Communication at present with the extreme end of Lake Superior, *Kernaghan* 2128, 2129, 2136, 2137, 2142-2144—There is now steam-boat communication from Chicago, *ib.* 2144—*Sees. 2.*

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*Superior, Lake*—continued.

to Lake Superior at the extreme end of the lake, *Kernaghan* 2128, 2129. 2142-2144—Further reference to the navigation of Lake Superior; there is communication from Chicago to three ports, *ib.* 2174-2179.

See also *Colonisation and Settlement*, 1, 2. *Minerals.* *Navigation of the Lakes and Rivers.* *Red River Settlement*, 3.

*Swamps.* Extensive swamps along the country from Lake Superior to the Red River, *Ross* 12, 147—Statement as to the existence of morasses between Lake Superior and Lake Nipigan and the Rainy Lake, *Lefroy* 229-235—Marshy character of the land along the north shore of Lake Winnipeg, *Rae* 450, 451—Rocky and swampy character of the country north of Lake Superior, *Sir G. Simpson* 908. 922-927.

## T.

*Tallow.* Difficulty in making up the return cargo to England, when the vessel is not full, by the addition of tallow from Red River; short supply there, *Herd* 4623, 4624.

A quantity of tallow and tongues was sent to York Factory by the Red River settlers, but for two years the Company could not, or would not, freight it, and it was eventually sold to the Company, *M'Laughlin* 5001-5003—In the colony the Company charge a freight of 8 l. per ton for exporting the tallow, whilst the Company in London offered to take it at 2 l. per ton, *ib.* 5001. 5004.

See also *Exports and Imports.* *Freights.* *Sinclair, James.*

*Tar.* The Mackenzie River district contains abundant quantities of tar easily accessible, *Isbister* 6090.

*Tariff of Prices (Fur Trade).* See *Fur Trade*, 5.

*Tea Plant.* Remarks on the Labrador tea plant, which was formerly largely imported into this country by the Company, *Isbister* 6090.

*Tennant, James.* (Analysis of his Evidence.)—Professor of Mineralogy at King's College, 5745—Has examined large quantities of minerals brought to this country from the Hudson's Bay territory, 5746—Minerals doubtless exist there in large quantities, but it is very questionable whether they can be worked profitably, 5747-5751—On the American side of Lake Superior silver and copper exist more abundantly than on the British side, and the copper has been extensively worked, 5748, 5749. 5752, 5753—Reference to a specimen of pure copper brought from the Copper Mine River, 5754, 5755.

Specimens of gold have been brought from Queen Charlotte's Island, 5755—Similarity between the features of the mineral districts in British North America and in Siberia, 5756-5758—Existence and working of mines of crysolite and lead in Greenland adverted to, 5758-5764—Probable existence of similar minerals in parts of British North America as have been found in other countries of a like formation, 5764-5767—Valuable working of quicksilver mines in California, 5768-5772—Remarks on certain minerals found in Australia, 5773, 5774.

*Tenure of Land.* The tenure of Land in the Company's territory is for 999 years, *Sir G. Simpson* 1093. 1161-1167—Explanation in regard to the tenure of a farm belonging to witness at Red River, which formerly belonged to his father as a retired officer of the Company, *Isbister* 2500-2513—Nature of the deed under which the land is held, *ib.* 2513. 2520—Practice in regard to the amount of land held by each settler; power to subdivide or sell the same, *Crofton* 3300-3307. 3311.

*Territorial Rights.* The Company's claim to the territory is confined to the portion east of the Rocky Mountains; their long possession alone would constitute some claim to the territory, *Right Hon. E. Ellice* 5868-5872.

Opinion of the Attorney-general and Solicitor-general that the validity and construction of the charter cannot be considered apart from the enjoyment that has been had under it during nearly two centuries, that is as regards the territorial rights claimed, *App. p.* 403.

Opinion of the Attorney-general and Solicitor-general that on every legal principle the Company's territorial ownership of the lands granted, or the charter and the rights necessarily incidental thereto, ought to be deemed to be valid, *App. p.* 403. 404.

See also *Boundaries.* *Canada*, 6, 7. *Legal Opinion.* *Proprietary Rights.* *Selkirk, Lord.*

*Thompson River's.* On the mainland, opposite Vancouver's Island, there is a beautiful tract of country called Thompson River, which should be included in the island as a colony, and for purposes of settlement, *Cooper* 3606-3608. 3734—Witness further speaks of the

## Report, 1857—continued.

*Thompson's River*—continued.

the district of Thompson's River as being peculiarly fit for colonisation, *Cooper* 3902-3905. 3914-3923—Goodness of the soil and climate of Thompson's River, *Miles* 4666, 4667.

*Thorn, Adam.* Instance of Mr. Thorn, the Recorder of the Court at Red River, having been summoned and having denied the competency of the court to try him, *M'Laughlin* 4808. 4986, 4987—Mr. Thorn was extremely unpopular at Red River, and it was said that he was very partial in the administration of the law, *ib.* 4974-4991—It was said that he was consulted by persons in reference to their cases before he adjudicated upon them, *ib.* 4988-4991.

Mr. Adam Thorn was the recorder for some time during witness's governorship; he had been in office since 1839, *Caldwell* 5413. 5423, 5424—Subsequently to 1849, Mr. Thorn did not act as recorder; but in 1852, he was appointed clerk of the court and filled that office for two years, *ib.* 5424. 5429-5435. 5440, 5441. 5500-5502. 5505—Strong public dissatisfaction with Mr. Thorn's judgments as recorder, *ib.* 5425-5428. 5600-5604.

See also *Foss v. Pelly*.

*Timber.* Character of the wood in the neighbourhood of the Moose settlement, *Rae* 515-519—Different character of the timber about James's Bay, &c., and of the timber in the prairie districts, *Sir G. Simpson* 820-825—Inferior character of the timber to the north and west of Lake Superior, *ib.* 909-916. 920, 921—Insufficient quantity of wood on the banks of the Saskatchewan and Red Rivers, *ib.* 971-973. 977-981.

There is a fair quantity of timber about Red River, *Corbett* 2726-2728—Numerous streams running into the Red River with timber on the banks, *ib.* 2854-2863—There is a good deal of timber all the way up to Portage-la-Prairie on the Assiniboine River, *ib.* 2864-2870.

There is much wood along the banks of the Saskatchewan, but out on the prairie there is no timber whatever, *Sir J. Richardson* 2917, 2918—Nature of the timber on Vancouver's Island and on the mainland north of the American territory, *Cooper* 3720-3733—Magnificent trees growing in the district south of the Athabasca Lake, *King* 5660-5662.

*Title.* See *Boundaries*, 1. *Canada*, 6, 7. *Indians*, 8. *Legal Opinion.* *Proprietary Rights.* *Selkirk, Lord.* *Territorial Rights.*

*Toronto Board of Trade.* Petition from the Board of Trade of the City of Toronto to the Legislative Assembly, presented 20 April 1857, with reference to the exclusive rights exercised by the Hudson's Bay Company, *App.* p. 435.

*Trade.* See *Fur Trade*.

*Traders.* The average annual share of profits of each chief trader has been 308*l.* 11*s.* 7*d.* *Right Hon. E. Ellice* 5802—See also *Servants of the Company*.

*Trading Posts.* Statement of the names and localities of the several establishments of the Company in 1856, *App.* p. 365-367.

*Trading Supplies.* Defective management by the Company in not always placing adequate supplies in the hands of their traders, *Lefroy* 356-358—Explanation, as to Colonel Lefroy's statement relative to short supplies to the Company's traders, *Rae* 403-406—Abundant supply generally of clothes and ammunition for trading with the Indians, *ib.* 407—The goods are supplied to the Company's servants at fifty per cent. on the prime cost in England, *ib.* 409. 471-476.

Supply of goods kept by the Company at Red River, *Sir G. Simpson* 1070, 1071—Considerable lapse of time between the purchase of goods in England and their delivery in certain parts of the Company's territories, such as Mackenzie's River, *ib.* 1324-1327—Different articles imported for barter, *ib.* 1525-1527.

See also *Fur Trade*, 5.

*Travelling.* Under the protection of the Company travelling is quite safe throughout the Hudson's Bay territory, *Lefroy* 306. 315.

## U.

*Ungava Bay.* In Ungava Bay there is a very productive fishery, *Isbister* 6082.

*Uninhabited Districts.* In the district between the Red River and Cumberland Fort there are no inhabitants, save the traders in the Company's employment, *Lefroy* 284—The country generally is quite unoccupied, save by Indians, *Rae* 644, 645.

## Report, 1857—continued.

United States. Rapid extension of the American settlements in the direction of the Red River, *Ross* 27-35, 91-94.—In the United States new settlements have always been created by starting from adjacent settlements, *ib.* 85, 117-120.—Reference to a treaty between the United States Government and the Indians and half-breeds at Red River, objects thereof, *Isbister* 2633-2638.—Circumstance of a petition having been recently presented to Congress for connecting the Lower Red River with Lake Superior, *Hon. W. H. Draper* 4138, 4139.—Causes of the success and extension of settlements in the United States, *Right Hon. E. Ellice* 5845-5847, 5909-5914, 6039-6041.

See also Colonisation and Settlement, 5. Fur Trade, 12. —Minnesota. Red River Settlement, 7. Spirituous Liquors, 2, 4. Squatting.

Usage. See Territorial Rights.

## V.

Vaccination. Practice in regard to vaccination of the Indians, &c., *Rae* 683.—Successful introduction of vaccination by the Company about 1820, *Sir G. Simpson* 998.

Vancouvernet, Mr. Statements by Mr. Vancouvernet, President of the Executive Council in Canada, that Canada claims the territory up to the Pacific, *Roche* 4472, 4473.

## VANCOUVER'S ISLAND:

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## 1. Grant of the Island to the Hudson's Bay Company in 1848.

The grant of Vancouver's Island, and the correspondence on the subject, have been printed, and laid before Parliament, *Maynard* 4445, 4446.—The grant of the island to the Company was made in 1848, *Blanshard* 5102.—Circumstances under which, in 1849, Lord Grey, acting very wisely for the Crown, granted Vancouver's Island to the Company, *Right Hon. E. Ellice* 5850, 5851.

## 2. Governorship of Mr. Blanshard, the first Governor.

Witness left England for Vancouver's Island in 1849, as the first governor of the island, and remained there nearly two years, *Blanshard* 5097-5103.—Was appointed by the Crown, and was altogether independent of any contract on the part of the Hudson's Bay Company, *ib.* 5100, 5104.—Witness received no salary, either from the Company or the Government, *ib.* 5148, 4149, 5156, 5157.—Expectations which induced him to accept the appointment, *ib.* 5149, 5160, 5161.

Statement as to his having been promised 1,000 acres of land by the governor of the Company, which promise was subsequently evaded, *Blanshard* 5149-5155.—Considerable expense incurred by witness in the matter, *ib.* 5158, 5159, 5162.—Qualifications of witness for the office of governor, *ib.* 5180-5182, 5207, 5208.—He had very little to do besides settling disputes between the Company's officers and their servants, *ib.* 5183-5191.—Reasons why witness resigned the governorship, *ib.* 5201.

## 3. Administration of Justice.

Manner in which the island is governed and justice administered, *Hon. C. W. W. Fitzwilliam* 2347-2351.—Want of confidence of the people in the courts of justice, *Cooper* 3578, 3610, 3635.—Cases involving much property rarely come before the judges.

Report, 1857—continued.

## VANCOUVER'S ISLAND—continued.

## 3. Administration of Justice—continued.

judge, *Cooper* 3852-3854—System of administration of justice when witness was governor, *Blanshard* 5204-5209—Memorial presented to witness by the settlers, relative to the appointment of a council on his retirement, *ib.* 5269.

## 4. Limited Extent of Settlement and Cultivation:

Very primitive state of the Victoria settlement when witness was there in 1853; particulars hereon, as to the extent of land in cultivation, the number of settlers, &c., *Hon. C. W. W. Fitzwilliam* 2261-2264, 2270-2273, 2295-2298, 2382-2389—Victoria is the only settlement, *ib.* 2295-2298—The white population principally came from England, and were, with one exception, servants of the Puget Sound Farming Company or the Hudson's Bay Company, *ib.* 2323-2326, 2352, 2382-2387—Settlers in the island would most probably come from the sea rather than from the mainland, *ib.* 2362.

Witness has been a resident and colonist in Vancouver's Island for the last six years, *Cooper* 3558-3561—Was a member of council there for five years, *ib.* 3563—Is not now in any way connected with the Hudson's Bay Company, *ib.* 3564—Had a farm of about 300 acres, which he bought from the Company in the Metchosen district, *ib.* 3567-3572—The population has decreased within the last six years, *ib.* 3573—About 10,000 or 12,000 acres have been sold, *ib.* 3863, 3864—Witness tilled about sixty acres, *ib.* 3871—The settlements are all near Victoria, *ib.* 3971, 3972.

When witness left the island there were about thirty independent settlers, *Blanshard* 5114-5116—The island was but little more than a trading post, *ib.* 5192-5195—Very little was raised in the island during witness's residence, *ib.* 5262-5264.

## 5. Causes of Non-settlement; how far the Company may be responsible:

Statement as to some persons attempting to trade at the island having been prevented from doing so by the Hudson's Bay Company, *Kernaghan* 2194-2208—Causes of the non-increase of settlers in the island; doubt as to any encouragement being offered by the Hudson's Bay Company, *Hon. C. W. W. Fitzwilliam* 2271-2273, 2323-2329, 2352-2359—If the country were directly under the British Government instead of under the Hudson's Bay Company, immigration and colonisation would soon follow, *Cooper* 3574-3577, 3605, 3744-3747, 3799-3801.

Bar to an export trade from the island on account of the heavy differential duties, *Cooper* 3680-3688—Evidence showing how far it can be said that the Company offer impediments to colonisation, *ib.* 3735-3747, 3799-3814—Respect in which the Company may be said to monopolise trade, and to deter individuals from competition, *ib.* 3802-3815—Inconvenience through the want of money, and of a system of exchange with England, *ib.* 3811-3814, 3824-3828.

The Company do not directly impose restrictions or duties upon trade, *Cooper* 3835-3842—Great advantage if the import duty of twenty per cent. at San Francisco were abolished; this duty is not in any way connected with the rule of the Company, *ib.* 3878, 3879, 3936-3940—Advantage of American settlers on the mainland over the settlers on the island, *ib.* 3929, 3930—Advantage of the settlers in being free from import duties, *ib.* 3932-3934—Further statement that the rule of the Company does of itself prevent immigration and settlement, *ib.* 3935, 3941-3943.

The distance from England and the nearness to the Californian gold fields have prevented the settlement and progress of the island, *Miles* 4660—High prices demanded by the Company in Vancouver's Island for their stores, more especially in the case of settlers, *Blanshard* 5162-5167—Doubt whether the Californian gold fields have operated as a bar to settlement, *ib.* 5168, 5169—The Company have thrown no difficulties in the way of a colonisation of the island, *Right Hon. E. Ellis* 588c.

## 6. Price of Land:

Practice in regard to the sale of land, *Hon. C. W. W. Fitzwilliam* 2329; *Cooper* 3995-4000, 4114-4119—The price of land is 1 l. per acre, except at Victoria, where it is much higher, *Cooper* 3795-3798—Complaint that the charge of 1 l. per acre is much too high, *ib.* 3927, 3928, 3931—Reference to the large tract of land taken up by the Coal Company at Nanimo, *ib.* 4014-4017.

The non-settlement of the island is mainly attributable to the restrictions upon the acquisition of land; particulars hereon, *Blanshard* 5122-5142, 5172-5177—The price of 1 l. per acre is too high, *ib.* 5122-5127—Statement as to the Company having claimed, as their own, a district of about ten square miles round Fort Victoria, *ib.* 5134-5146, 5284-5287.



## VANCOUVER'S ISLAND—continued.

6. *Price of Land*—continued.

The Colonial Office imposed most impolitic restrictions upon the Company in regard to the price of land to settlers, *Right Hon. E. Ellice* 5851.

7. *Want of a Survey of the Island:*

Circumstance of the interior of the country not having been explored or surveyed, *Hon. C. W. W. Fitzwilliam* 2253-2255. 2276-2282. 2360, 2361—There should be a proper survey of the island, *ib.* 2277.

8. *Spirit Licences:*

Statement as to the licence to sell spirits costing 120*l.* in each case, *Cooper* 3672-3878. 3690, 3691—After the licence is taken out there is no material restriction save as regards the Indians, *ib.* 3679-3687—Licences are only required in the case of spirits, *ib.* 3688, 3689—There are four houses paying for licences, *ib.* 3859, 3860.

9. *Expenditure on Public Works:*

Expenditure of the Colonial Fund, that is, the money derived from licences and from land, in making roads, &c., *Cooper* 3861-3870. 4018, 4019—Exception taken to the expenditure of 1,000 *l.* on a bridge across Victoria Harbour, *ib.* 4020-4037.

10. *Religious Instruction:*

There is but one Protestant clergyman, the colonial chaplain, and no attempts are made, save by Roman-catholic priests, to christianise or educate the Indians, *Cooper* 3768-3793. 4001-4013—There are some schools for Europeans and two Protestant schoolmasters, *ib.* 3788, 3789. 3794. 4002-4004.

11. *Particulars relative to the Native Population; their Treatment by the Company, &c.:*

Particulars relative to the Indians on the coast of the island; their character, means of subsistence; &c., *Hon. C. W. W. Fitzwilliam* 2265-2269. 2283-2293. 2314-2318—There are from 8,000 to 10,000 natives, *Cooper* 3591—Probability of the Indians becoming troublesome and rebellious; though hitherto peace has been kept, *ib.* 3592-3597. 3636. 3658—Instances of Indians having been apprehended through the instrumentality of the Queen's ships of war, and punished for their offences, *ib.* 3596-3598. 3645-3658—Injudicious conduct of the Government, inasmuch as Indians who have committed offences are frequently not punished, and are even bribed with blankets, &c. in order to prevent any breach of the peace, *ib.* 3633-3644. 3658-3660—Danger of the colonists from the treachery of the Indians, *ib.* 3662.

Employment of Indians on the coal-mines and farms, *Cooper* 3761-3763—Payment of the Indians in trade goods, they not generally understanding the value of money, *ib.* 3764-3767—Further evidence as to the mode of payment of the Indians and Company's servants; complaints hereon, *ib.* 3975-3985.

The natives subsist chiefly by fishing, and are a very degraded race, *Blanshard* 5117-5120. 5251-5260—They were very kindly treated by the Company when witness was there, *ib.* 5198. 5234, 5235. 5244—Instance of murder by some Indians; how dealt with, *ib.* 5199, 5200. 5231-5233—As in the United States, so in Vancouver's Island, the red man would soon disappear before the march of civilisation, *ib.* 5239-5243.

12. *Suitableness generally of the Island for Colonisation and Settlement:*

Vancouver's Island would be more attractive to settlers than any other portion of the Company's territory, *Ross* 70, 71—Witness has not visited Vancouver's Island, but understands that it is only the southern end that is favourable for settlement, *Sir G. Simpson* 730-732. 760-763. 2077-2085—Fine timber in the island for which there is an excellent market at San Francisco, *Kernaghan* 2208-2210.

Character of the country; the soil is generally productive, though in places rocky, and the fir timber is magnificent, *Hon. C. W. W. Fitzwilliam* 2249. 2256. 2379, 2380—Excellent harbours at Esquimaux and other places, *ib.* 2257, 2258. 2277. 2299. 2338, 2339. 2372, 2373—Productive land in the Cowichan valley, *ib.* 2268—The island is the most valuable British possession in the Pacific, *ib.* 2277—Size of the island, *ib.* 2294—Character of the navigation from Victoria to Nanaimo, *ib.* 2311-2313—Wheat, oats, barley, and potatoes, are easily raised in the island, *ib.* 2376-2381.

The land is partially wooded and partially open with prairie, and is capable of cultivation to a considerable extent, *Cooper* 3572. 3608, 3609. 3706-3719—With respect to the soil of the country, it is peculiarly well adapted to the production of corn and vegetables, *ib.* 3696-3719—Wheat produces from twenty-five to forty bushels per acre, *ib.* 3716-3719—There are several small streams in the island, and the valleys are very fertile, *ib.* 3818-3821—Rain falls as abundantly as in England, *ib.* 3822, 3823—Some

Report, 1857—continued.

## VANCOUVER'S ISLAND—continued.

## 12. Suitableness generally of the Island, &amp;c.—continued.

—Some of the land is mountainous, and not cultivable, *Cooper* 3968-3970—Nature of the communication with San Francisco; probability of settlement from that quarter, *ib.* 3991-3994.

Witness considers that in soil, climate, minerals, &c., the island possesses everything essential for the formation of a great colony, *Miles* 4654-4662—The soil is very good and rich, *ib.* 4654. 4667—Fitness of the island for an English settlement, *Blanshard* 5105—A large portion of the soil is very fertile, *ib.* 5105. 5303, 5304—The eastern part of the island is very well adapted for cultivation, *ib.* 5105—There is a great deal of timber, principally pine; this, as regards colonisation, would be an advantage rather than an obstruction, *ib.* 5106-5110. 5291-5302—The neighbourhood of Esquimaux Harbour seemed to witness the best place for a colony, *ib.* 5288.

The island is a most valuable possession, and peculiarly well suited for an English settlement, *Right Hon. E. Ellice* 5856-5858—There is an excellent harbour, fine timber, an abundance of fish, and a good climate, *ib.* 5858.

## 13. Climate:

Suitableness of the climate of the island for settlement by Englishmen, *Hon. C. W. W. Fitzwilliam* 2249—The climate is superior to that of England, *Cooper* 3572; *Miles* 4654—The climate is very good and temperate, and is not subject to such extremes as that of England, *Blanshard* 5105. 5277-5283.

## 14. Coal Mines:

Available supply of coals in the island, *Kernaghan* 2111-2114—Particulars relative to the coal mines at Nanimo, about 80 miles to the north of Fort Victoria, on the east coast, *Hon. C. W. W. Fitzwilliam* 2250-2252. 2300-2310. 2319-2322. 2340. 2374. 2375—The Company claimed a royalty on the coal mines, *ib.* 2358—Excellent and abundant supply of coal in the island; obstacles to its export, *Cooper* 3583-3588—Further reference to the large and excellent coal mines in the island; the monopoly of the Company and the heavy American duty are a bar to their development, *ib.* 3753-3761—The coal mine worked by the Company lies close to the shore, *ib.* 3831-3834.

Witness did not visit the coal mines, but believes they are very valuable, *Miles* 4657—Coal had been discovered only in small quantities whilst witness was there, *Blanshard* 5121.

## 15. Fisheries:

The fisheries along the coast are singularly productive, the fish being traded by the Indians with the Hudson's Bay Company, *Hon. C. W. W. Fitzwilliam* 2259, 2260. 2366-2369—Extensive fisheries in and around the island, *Cooper* 3589, 3590—Export by the colonists of fish to the Sandwich Islands, *ib.* 3896-3901—Obstacles but for which whalers would resort to the island, *ib.* 3942-3946. 3986-3990—The fisheries will in time be very productive, *Miles* 4658.

## 16. Unprofitable Outlay by the Company:

Non-advantage of the island to the Company, *Cooper* 3816, 3817. 3829—The Company made a great mistake in accepting the grant of Vancouver's Island; they have spent very large sums there for which there has been no return in any way, *Right Hon. E. Ellice* 5850, 5851. 5856. 5875-5880—There has already been an outlay of some 80,000*l.* by the Company, *ib.* 5856.

## 17. Recommended re-possession by the Crown:

The sooner the island is re-possessioned by the Crown the better, *Right Hon. E. Ellice*, 5856, 5857.

The committee recommend the termination of the connexion of the Hudson's Bay Company with Vancouver's Island as the best means of favouring the development of the great natural resources of that important colony, *Rep. p. iv.*

## 18. Recommended Extension of the Colony so as to comprise the Land west of the Rocky Mountains:

Vancouver's Island and the mainland west of the Rocky Mountains should form a separate colony and government, *Isbister* 2447, 2448. 2526—The legislature at Vancouver's Island should govern the adjacent country up to the Rocky Mountains, *Right Hon. E. Ellice*, 5859-5862.

Means should be provided for the ultimate extension of the colony over any portion of the adjoining Continent, to the west of the Rocky Mountains, on which permanent settlement may be found practicable, *Rep. p. iv. c.*

## VANCOUVER'S ISLAND—continued.

## 19. Evidence as to the Form of Government :

Very few persons in the island eligible as members of the Legislative Assembly; nature of the qualification; *Cooper* 3599-3604—In providing that whilst the Company should have a monopoly of the island a free legislature should be established; the Colonial Office acted very erroneously; particulars hereon, *Right Hon. E. Ellice*, 5851-5855—Form of Government advisable for the island if administered by the Crown, *ib.* 5859-5861. 5863-5865.

## 20. Despatches between the Colonial Secretary and the Governor of the Island relative to a Representative Assembly :

Copy of despatch from Mr. Labouchere to Governor Douglas, dated 28 February 1856, directing that a representative assembly be convoked without loss of time; instructions and suggestions for his guidance, *App. p.* 451, 452.

Copies of further despatches from Mr. Labouchere in acknowledgment of despatches from Governor Douglas, relative to the steps taken by him in consequence of the foregoing communication, *App. p.* 452, 453.

Extract of despatch from Governor Douglas to Mr. Labouchere, dated 22 May 1856, in reply to the despatch from the latter, dated 28th February 1856, *App. p.* 453.

Extract of further despatch from Governor Douglas, dated 7 June 1856, reporting the steps taken in carrying out the instructions of 28th February, *App. p.* 454.

Extract of further despatch, dated 22 July 1856, enclosing minutes of council of 4th and 9th June; also reporting the termination of the elections; and that the Assembly is convened for the 12th August, *App. p.* 454-456.

Extract of further despatch from Governor Douglas, dated 20 August 1856, reporting the opening of the House of Assembly on the 12th August, and enclosing his address on that occasion, *App. p.* 456-458.

Copy of further despatch, dated 31 October 1856, reporting further proceedings of the Assembly, and the adjustment, without his interference, of party differences, *App. p.* 458, 459.

Copy of further despatch, dated 9 January 1857, reporting further proceedings of the Assembly up to the 18th December 1856, *App. p.* 459-464.

Copy of further despatch, dated 24 February 1857, reporting further proceedings of the Legislature up to 24th February 1857, *App. p.* 464-466.

See also *Cameron, Mr. Chancellor* — *Compensation.* *Douglas, James.*  
*Fur Trade,* 16. *Langford, Captain.* *Military Force.* *Puget Sound*  
*Agricultural Company.* *Spirituuous Liquors,* 5.

**Vegetable Products.** Various vegetable products of the country which might be advantageously imported into this country, *Isbister* 6088-6090.

**Vegetables.** Facility for growing vegetables in some parts of the territory, *Lefroy*, 182. 246.

**Voyageurs.** There are about 500 voyageurs in the Company's service, *Sir G. Simpson*, 987—The Indian servants employed as voyageurs, &c., are paid merely for the trip, *ib.* 1055—At the christianised Indian settlement at Red River, the Indians are principally voyageurs, *Caldwell* 5580.

## W.

**Wages.** The wages of the servants or labourers of the Company vary from 20 £ to 40 £ a-year, *Sir G. Simpson* 1259, 1260—Good wages received by the Indians in the service of the whites; how paid, *Sir J. Richardson* 2936-2941.

**Western Coast.** Examination as to the extent to which land on the western coast is suitable for cultivation and settlement, *Sir G. Simpson* 728-736. 761-771. 2058-2113—Rugged and mountainous character of the Company's territory west of the Rocky Mountains, *ib.* 728-736. 761-771—Impediment to settlement west of the Rocky Mountains, in consequence of the warlike character of the Indians, *ib.* 2064-2068—Character of the country west of the Rocky Mountains, that is, from Fort Colville, up the Columbia River, and towards the Arrow Lake, *Miles* 4668-4672.

See also *Climate.* *Rocky Mountains.* *Thompson's River.* *Vancouver's Island,* 18.

**Whale Fisheries.** See *Fisheries.*

*Wheat.*

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Report, 1857—continued.

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*Wheat.* In some favourable places wheat may be grown up to the 58th parallel of latitude, *Sir J. Richardson* 2898—The wheat at Red River ripened in 90 days from sowing, and was the finest witness ever saw, *Crofton* 3203, 3204.

See also *Colonisation and Settlement*, 1, 2.

*Williams, Governor.* Statement to the effect that Governor Williams was very successful in farming at Cumberland House, and that he was removed thence by the Company in consequence of his anxiety to promote cultivation, *King* 5704-5714. 5722-5724. 5733, 5734.

*Winnipeg Lake.* Lake Winnipeg is open for navigation from May till about the end of October, *Lefroy* 285, 286—The only outfall of Lake Winnipeg is by Nelson River into Hudson's Bay, *Sir G. Simpson* 974-976.

*Winnipeg River.* The land bordering on the River Winnipeg is not fit for cultivation, *Sir J. Richardson* 3009.

## Y.

*York Factory.* Wheat cannot be grown at York, *Rae* 437—At York Factory the soil is permanently frozen a little below the surface, *Sir G. Simpson* 746, 747—Unsuitableness of the soil at Fort York for cultivation, *Sir Geo. Back* 3502-3505—Bleak appearance of the country about York, *Herd* 4649, 4650.

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(5)

# P L A N S

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FROM THE

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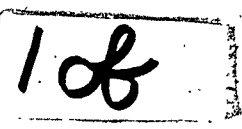
ON THE

### HUDSON'S BAY COMPANY.

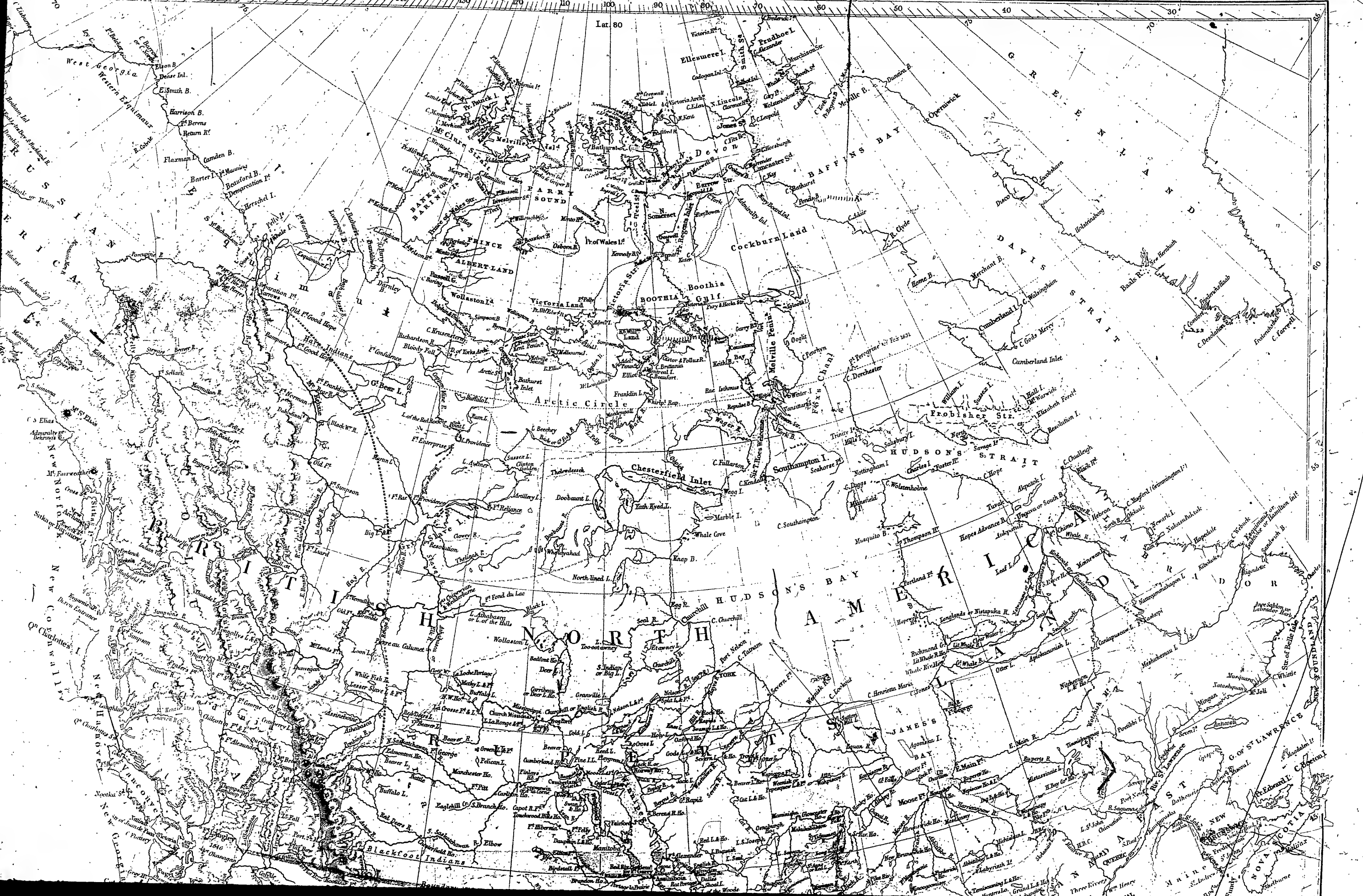
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*Ordered, by The House of Commons, to be Printed,  
31 July and 11 August 1857.*

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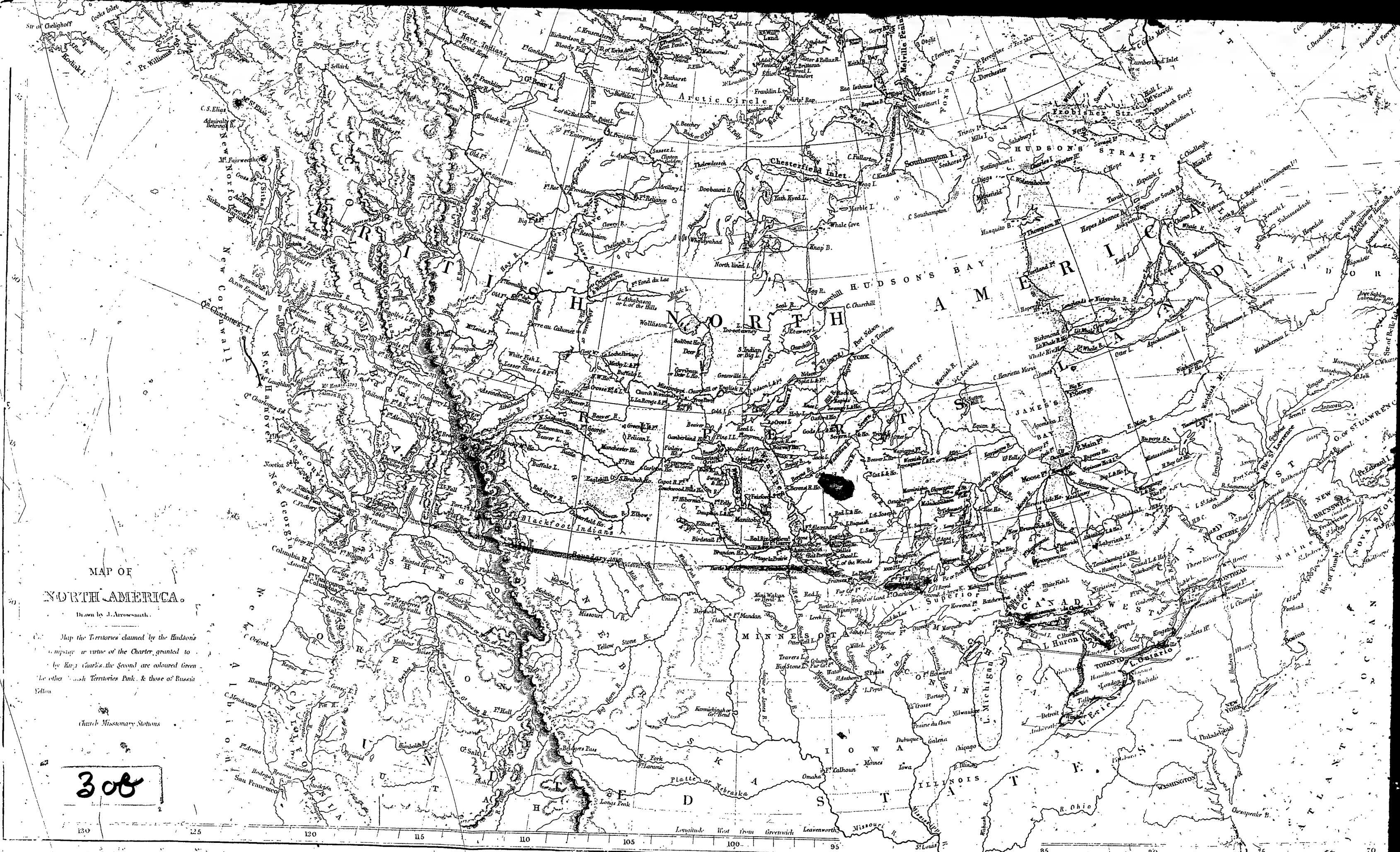
MAP OF  
NORTH AMERICA.

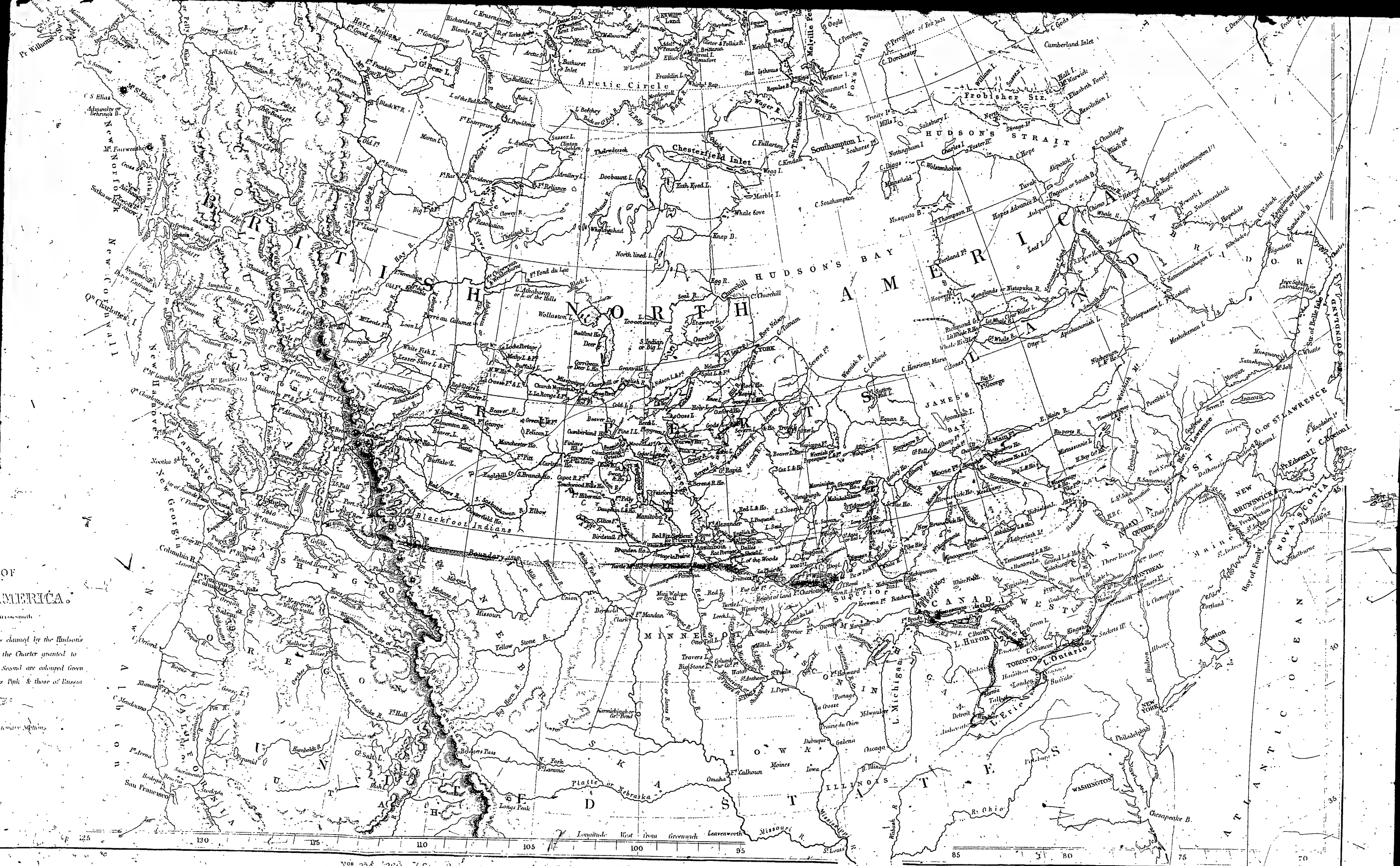
Drawn by J. Arrowsmith.

Map the Territories claimed by the Hudson's Company in virtue of the Charter granted to them by King Charles the Second, are coloured Green. The other British Territories Pink, & those of Russia Yellow.

Church Missionary Stations

308





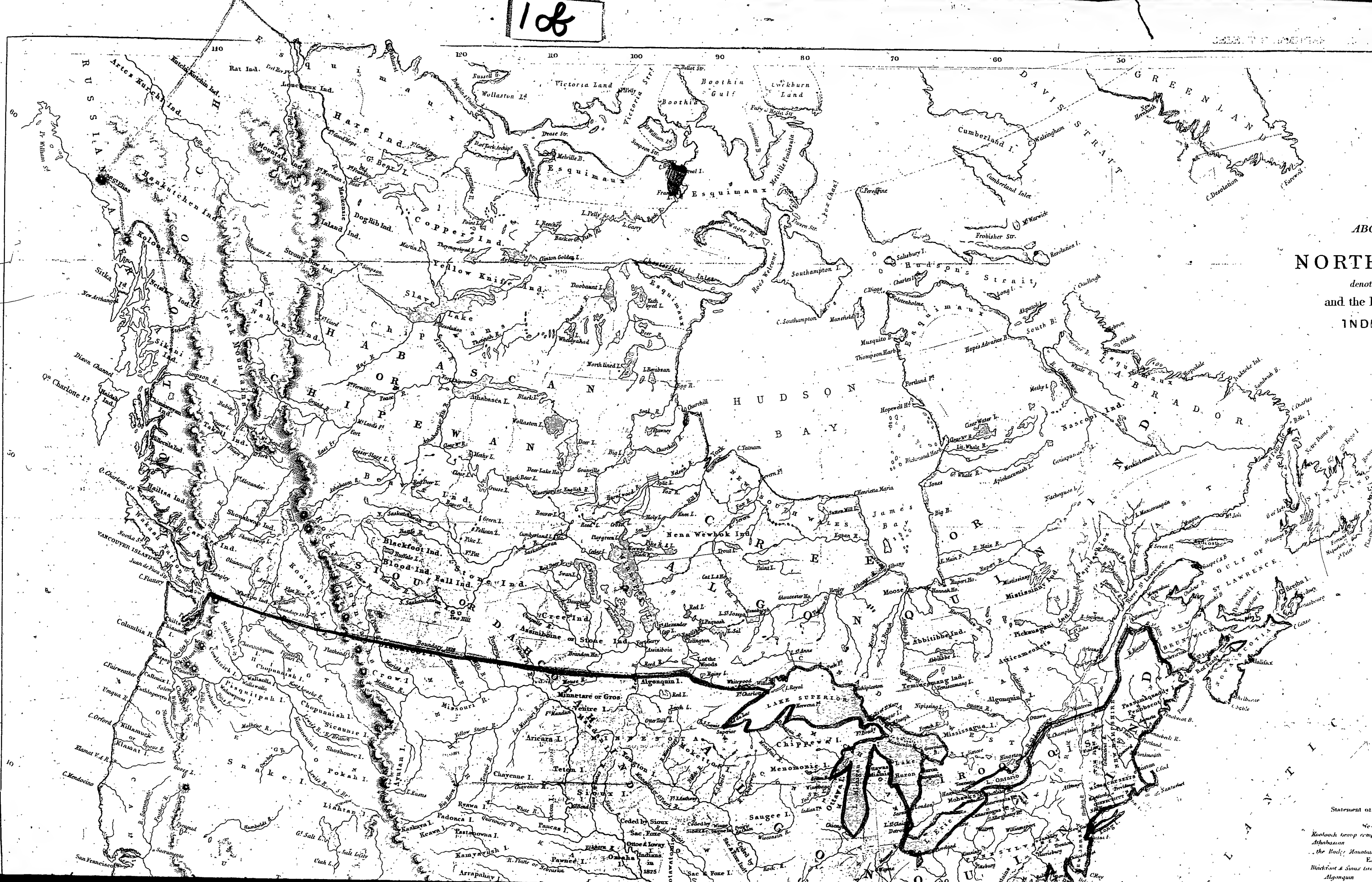
OF  
AMERICA.

claimed by the Hudson's  
the Charter granted to  
Sound are coloured Green  
Pink & those of Russia

boundary Nations



18

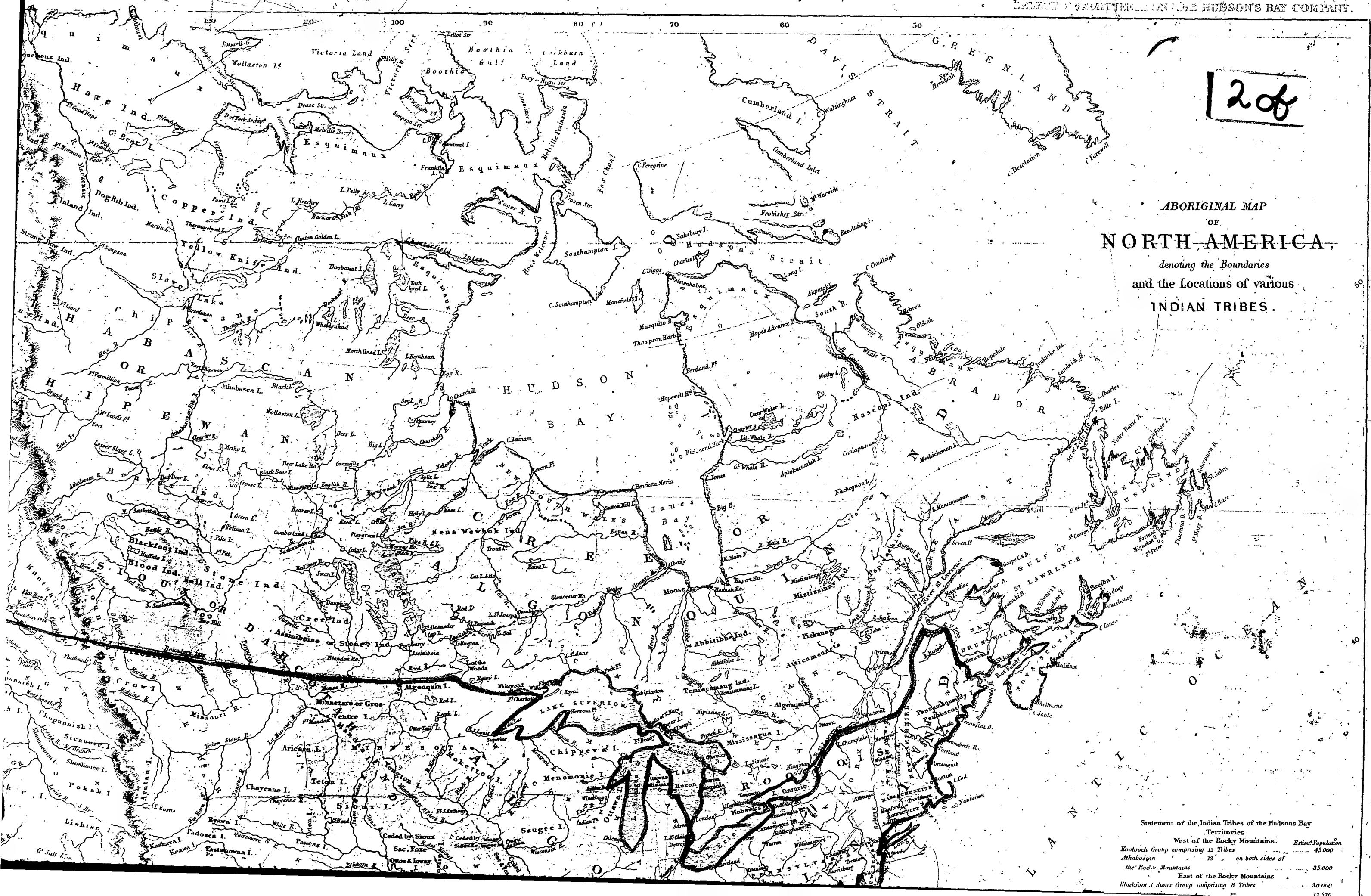


ABORI  
NORTH  
denoting  
and the Loc  
INDIA

Statement of  
Kootenai group camp  
Athabaskan  
the Red, Mountain  
Blackfoot & Sioux  
Algonquin

2 of

ABORIGINAL MAP  
OF  
NORTH AMERICA,  
denoting the Boundaries  
and the Locations of various  
INDIAN TRIBES.

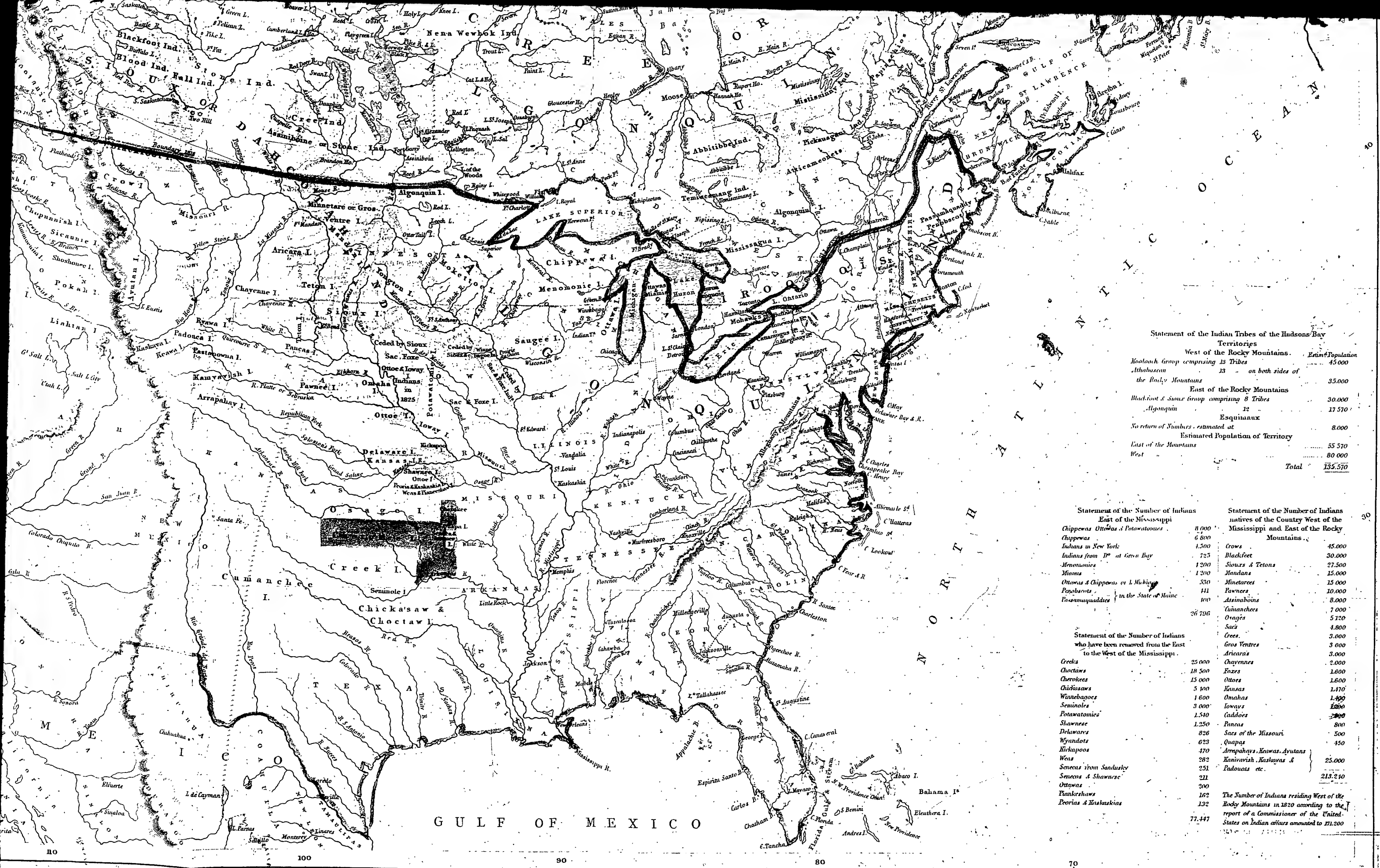


Statement of the Indian Tribes of the Hudson's Bay Territories

West of the Rocky Mountains.		Estimated Population
Kootenai Group comprising 13 Tribes	on both sides of the Rocky Mountains	45,000
Athabaskan		35,000
East of the Rocky Mountains		
Blackfoot & Sioux Group comprising 8 Tribes		30,000
		17,570







Statement of the Indian Tribes of the Hudson's Bay Territories

West of the Rocky Mountains.		Estimated Population
Blackfoot Group comprising 13 Tribes	on both sides of the Rocky Mountains	45,000
Algonquin	12	17,570
East of the Rocky Mountains		
Blackfoot & Sioux Group comprising 8 Tribes		30,000
Algonquin		17,570
No return of Numbers estimated at		8,000
Estimated Population of Territory		
East of the Mountains		55,570
West		80,000
Total		135,570

Statement of the Number of Indians East of the Mississippi

Chippewas, Ottawas & Potawatomes	8,000
Chippewas	6,800
Indians in New York	1,500
Indians from D <sup>r</sup> at Green Bay	725
Menomones	1,200
Missis	1,200
Ottawas & Chippewas on L. Michigan	530
Pembasota in the State of Maine	441
Possamunquidies	100
Total	26,796

Statement of the Number of Indians natives of the Country West of the Mississippi and East of the Rocky Mountains

Crows	45,000
Blackfeet	30,000
Sioux & Teton	27,500
Mandans	15,000
Minnetarces	15,000
Pawnees	10,000
Assinaboins	8,000
Cumanches	7,000
Ovages	5,120
Sacs	4,800
Grees	3,000
Gros Ventres	3,000
Aricaras	3,000
Chayennes	2,000
Foxes	1,600
Ottos	1,600
Kansas	1,170
Omahas	1,400
Ioways	1,200
Adidoes	200
Pancas	800
Sacs of the Missouri	500
Quapacs	450
Arrapahays, Kiowas, Ayutans	25,000
Maniwavish, Kaskayas & Padouacs etc.	213,240

Statement of the Number of Indians who have been removed from the East to the West of the Mississippi

Greeks	25,000
Choctaws	18,500
Cherokees	15,000
Chickasaws	5,400
Winnebagoes	1,600
Seminols	3,000
Potawatomes	1,540
Shawnees	1,250
Delawares	828
Wyandots	623
Erikapooas	470
Weas	282
Senecas from Sandusky	251
Senecas & Shawnees	211
Ottawas	200
Flankeshaws	162
Peorias & Kaskaskias	132
Total	71,447

The Number of Indians residing West of the Rocky Mountains in 1820 according to the report of a Commissioner of the United States on Indian affairs amounted to 171,200

4084

181

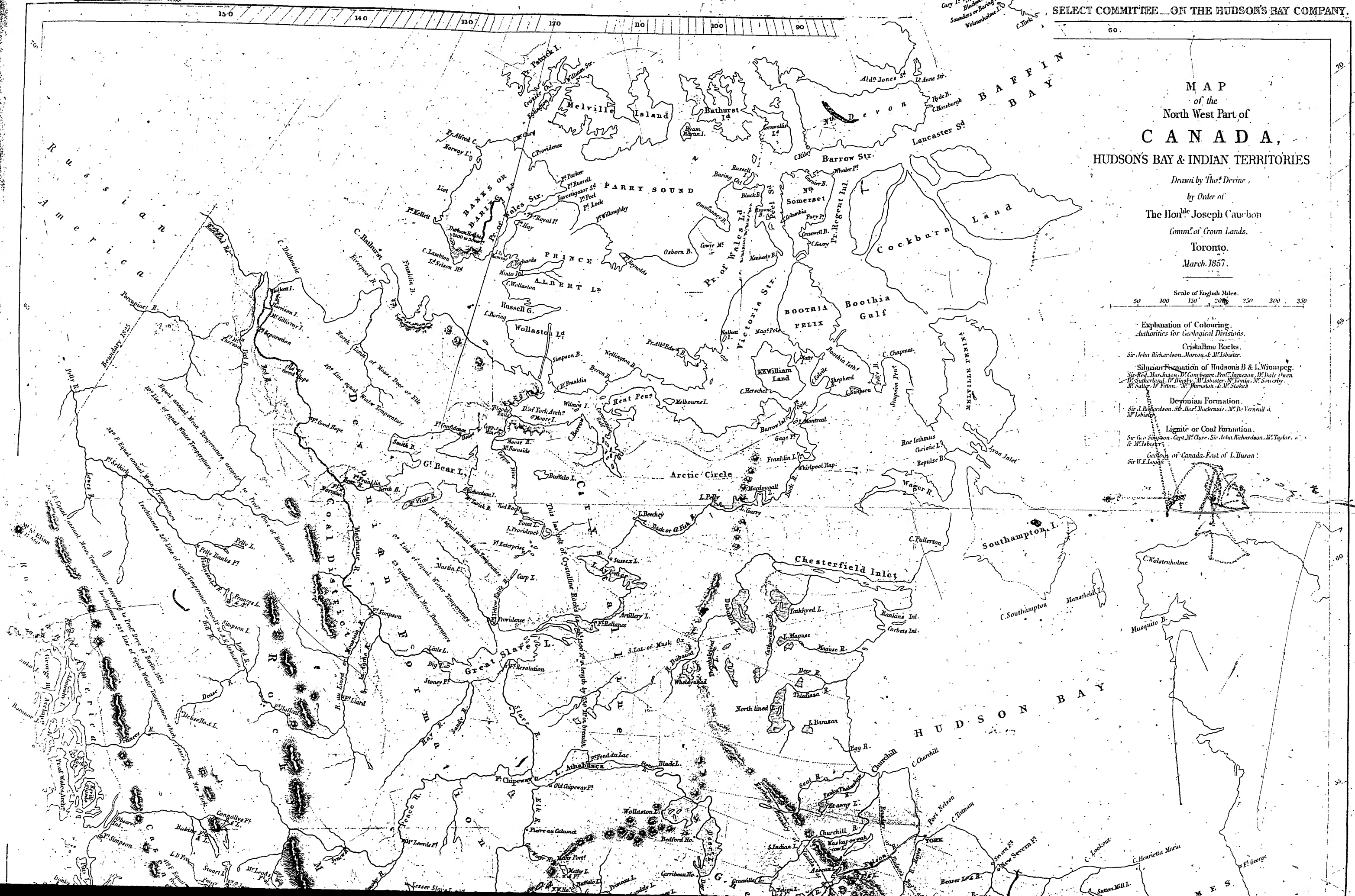
SELECT COMMITTEE ON THE HUDSON'S BAY COMPANY.

MAP  
of the  
North West Part of  
**CANADA,**  
HUDSON'S BAY & INDIAN TERRITORIES

Drawn by Thos Devine,  
by Order of  
The Hon<sup>ble</sup> Joseph Cauchon  
Comm<sup>r</sup> of Crown Lands.  
Toronto.  
March 1857.

Scale of English Miles.  
50 100 150 200 250 300 350

Explanation of Colouring.  
Authorities for Geological Divisions.  
Cristalline Rocks.  
Sir John Richardson, Marcou, & M<sup>r</sup> Ishier.  
Silurian Formation of Hudson's B & L. Winnipeg.  
Sir R. J. Richardson, M<sup>r</sup> Conroy, Prof. Jameson, M<sup>r</sup> Dale Owen,  
M<sup>r</sup> Sutherland, M<sup>r</sup> Hughes, M<sup>r</sup> Ishier, M<sup>r</sup> Horton, M<sup>r</sup> Somerville,  
M<sup>r</sup> Sayer, M<sup>r</sup> Pilon, M<sup>r</sup> Harrison, & M<sup>r</sup> Stokes.  
Devonian Formation.  
Sir J. Richardson, M<sup>r</sup> MacKenzie, M<sup>r</sup> De Verreuil, &  
M<sup>r</sup> Ishier.  
Lignite or Coal Formation.  
Sir Geo. Simpson, Capt. M<sup>r</sup> Currie, Sir John Richardson, M<sup>r</sup> Taylor, &  
M<sup>r</sup> Ishier.  
Geology of Canada East of L. Huron.  
Sir W. E. Logan.







P L A N S

REFERRED TO IN THE

R E P O R T

FROM THE

SELECT COMMITTEE

ON THE

HUDSON'S BAY COMPANY.

Ordered, by The House of Commons, to be Printed,  
31 July and 11 August 1857.

[Price 2s.]

224. 260-I.—Sess. 2.

Under 4 oz.

Prothon a member of the Council. 170  
a portion of the same. 171  
The Chairman was the same of the entry 171  
I had nothing to do with the same. 182.